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ROME, ST. PAUL
AND THE EARLY CHURCH

ROME, ST. PAUL & THE EARLY CHURCH

THE INFLUENCE OF ROMAN LAW ON
ST. PAUL'S TEACHING & PHRASEOLOGY
AND ON THE DEVELOPMENT OF THE
CHURCH

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VICAR OF ST. JOHN'S, UPPER HOLLOWAY

LONDON
JOHN MURRAY, ALBEMARLE STREET

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IN MEMORIAM
FILII DILECTISSIMI

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PREFACE

IT is to St. Paul we owe that body of doctrine which has exerted the most profound influence on the thought of the Christian Church. Though the foundation of Christianity rests upon the life and teaching, the death and resurrection of the Divine Redeemer, the details of which are preserved for all time by those who wrote the Gospels, yet it was not from those records, or their authors, that the greatest impulse was derived for the propagation of the new religion : that came from St. Paul. A new conception as to the import of Christ's death was introduced by his teaching, which marked an advance upon the views prevailing amongst his predecessors. It involved the recognition of Jesus, rather as the Divine Redeemer than the Messiah, disclosing a deeper significance in His death and risen life, and unfolding new aspects of His personality and mission.

Such differences have prompted some to insist that the grandly simple Gospel of

Jesus has been misrepresented and obscured by the Pauline teaching. But while there are differences, there is no contradiction in the revelation proceeding from the Master and His servant. The earlier conception was inadequate, and in St. Paul, God was continuing to complete the revelation of His Son.

As his doctrine differs in type from that of other apostles, so St. Paul's method differs for the propagation of what he terms 'my gospel,' and in the following chapters an attempt is made to outline some of those methods whereby he utilised the Roman system of law—either in its pure form, or modified by contact with Oriental customs—and the Imperial administration as an auxiliary to his aim. Principles of contemporary law supplied him with not a few terms and figures whereby he could translate into current speech some of those profound spiritual conceptions for which those to whom he preached possessed no corresponding terms; this, too, whether he was engaged in controversy for the defence of Christian principles, or stimulating the spiritual aspirations of his converts.

There is an aversion on the part of some to the 'forensic type of thought,' in connec-

tion with the phenomena of the spiritual life, but its use is a marked feature of the Pauline writings and its study well repays investigation. Professor G. B. Stevens observes (*Pauline Theology*, p. 46): "When the interpreter permits his distaste for legal analogy to lead him to deny its predominance in St. Paul's doctrine, and to explain away the natural force of his words in accordance with that denial, he is but conforming his interpretation to theological prepossession and making impossible a sound and impartial exegesis of the Apostle's writings."

Owing to the fact that the major portion of the following pages was written before the author had opportunity to consult Professor Deissmann's recent book, *Light from the Ancient East*, only a very limited use of that work was possible. But in view of the design which prompted these chapters, it is important to observe the convincing proofs Deissmann has adduced, that many hitherto unsuspected passages have, as a background, an intimate connection with contemporary law and usage, especially conceptions relating to 'freedom,' 'redemption,' and 'deliverance' from sin and the law. The author's object is to exhibit certain aspects of St. Paul's teach-

ing as they appealed to the minds of his contemporaries. Though often overlooked, their recognition frequently discloses an underlying import, even in passages which by reason of their familiarity fail to convey the original significance. This is well illustrated by Deissmann's remark on the Pauline metaphor of slavery: "To the total effacement of its ancient signification, in our Bibles, is owing the fact that one of the most popular appraisals of the work of Christ by St. Paul and his school has been, I think, only vaguely understood by us" (p. 323).

It is true that it was St. Paul "who, after Jesus, laid firm the foundation of the Churches that are in Christ"; but, in the Divine Providence, Rome was ordained to be an unconscious agent to minister to that end. That he was able to testify "from Jerusalem and round about even unto Illyricum, I have freely preached the Gospel of Christ," was in no small measure due to Imperial influences. Had Rome realised that she was permitting the growth of a society destined to challenge her supremacy, the history of the early Church would have been very different. But before Rome really comprehended the meaning and issues of

Christianity, the faith had been planted throughout the Empire.

Lastly, when Rome founded her vast empire, she "laid down the material condition of the propagation of Christianity," and at the same time bequeathed to succeeding ages, as prevailing ideas, intense regard for centralised authority, a love of order and system, and a spirit of cosmopolitanism. Such conceptions, though they had indeed facilitated the Apostle's mission, were destined later to thwart the theology which is identified with his name. Accordingly a brief sketch of those methods whereby the Roman Church turned these prevailing conceptions to her own aggrandisement will not be out of place.

Christianity did not abolish these sentiments, and the Roman Church found them to be a fruitful soil wherein to implant as a seed her claims to Universal Supremacy, submission to the hierarchy of the priesthood as representing the Bishop of Rome, and unquestioning obedience to the Canons of the Church. Thus "the spirit of Roman Law survived and was perpetuated in ecclesiastical institutions." Had these sentiments perished with the decay of paganism, it is more than questionable whether the

Roman Church could have perfected her system.

The author desires to acknowledge his indebtedness to the works of Sir W. M. Ramsay, to which he has constantly referred in the preparation of these pages. To approach the subject of the following chapters without consulting his invaluable works, would indeed be presumptuous, for, at almost every step, one is reminded of the immense debt owed to him by every one who studies the history of early Christianity. The author would also express his gratitude to Professor H. M. Gwatkin and Professor H. Goudy for valuable suggestions and helpful criticism.

For the sake of readers unacquainted with the legal system of St. Paul's days, a brief sketch of its more prominent institutions has been introduced in Chap. IV., perusal of which, for others, will, of course, be unnecessary.

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ROME, ST. PAUL & THE EARLY CHURCH

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THE majority of thoughtful men whose studies have been directed to the history of the ages preceding Christianity, are increasingly impressed with the fact that therein a definite purpose is traceable, which may justly be termed the Divine preparation for the coming of Christ and the planting of the Faith amongst Gentile nations. The perception of this fact is becoming clearer than was possible even a generation ago,

in consequence of the wider application of the historical method, and the fuller recognition of its valuable results.

The evidence of this preparation in history, it is true, can be traced from times long anterior to the Incarnation, but space forbids us to pursue the inquiry further than the date of those conquests of Alexander the Great, which startled the world some three centuries before the birth of Christ. It is not contended that historic events were invariably favourable, but, like the incoming of the tide, retrograde movements were not maintained, and proved ineffective to stay the advancing course of Christianity, being absorbed in the greater movements of progress and preparation for that "far off Divine event," for which all the historical antecedents were but the necessary prelude. Persecution, the revival of heathenism, Cæsar worship, and even a catastrophe, such as the destruction of Jerusalem, which must have appeared to contemporary minds to presage disaster to the Church, are seen to have been compatible with, or even needful to, its progress.

This is no mere suiting of facts to a fanciful theory, no subtle afterthought propounded by those interested in the construc-

tion of fresh defences for the Faith ; it is written large and plain across the face of those ages. But until that moment, designated "the fulness of time," the converging lines of preparation were not to meet. The various factors together constituting the preparation, if examined separately, may possibly appear to admit a purely natural explanation, but when those factors are considered in their entirety, any such explanation is unthinkable, and supply but another demonstration of Bishop Butler's well known dictum, "Probable proofs by being added, not only *increase*, but *multiply* the evidence."

Had the promise of the Incarnation been fulfilled, not at the pre-appointed time, but in the historic surroundings prevailing even a few generations earlier, the appeal of the new Faith would have been eclipsed and its spiritual energy more or less dissipated, amid the turmoil gendered of racial pride and international strife. It was therefore essential as a preliminary condition, that obstacles originating in political and ethnic causes should be removed ; but this task was not within the immediate sphere of Christianity. That preliminary, but necessary work, was achieved by those secular forces

which came into play and were ordained to minister to the progress of the Faith.

It was essential, once the earthly ministry of Christ was fulfilled, that the Gospel message should immediately go forth unimpeded, save for those various forms of moral opposition which remained and constituted the specific province of work, wherein the triumphs of the gospel were to be won. Otherwise world-wide proclamation of the Faith must have been postponed till some future generation, when eye-witnesses of the Redeemer's Passion and Resurrection no longer survived to testify, "that which we have seen and heard, declare we unto you"; thus, deprived of its most convincing factor, the new faith would have found its course impeded in that most vital crisis—its first contact with heathenism.

Now the heathen religions, however much they differed among themselves, had this common character, they tended to the separation rather than the union of nations. For the various cults were held to have been decreed by the local deities, whence it followed that members of other states had no part or lot in the worship of deities, whose interest and aid extended merely to the confines of the territory wherein they were

worshipped. Thus the Roman Jupiter could never be an acceptable divinity in Greece, nor again the Grecian Zeus in Rome. Consequently religion became a barrier between the nations, preventing, rather than promoting, unity amongst mankind.

And yet here and there amongst heathen nations the conception of a perfect kingdom was not unknown, wherein each member might find his highest happiness, in union with his fellow-men. This was indeed a heathen adumbration of the Kingdom of God, and is testified by the numerous attempts to realise such a society. We can trace this notion to a remote past, and find evidences of efforts to realise the conception, some incomplete, some mistaken, some fantastic, and all more or less Utopian. We follow it through the varied schemes of pagan philosophers and legislators, to evolve some perfect human society, in which each man might be enabled to realize the full development of the best that was in him, all of which gave point and purpose to the world's need for the Kingdom of God, as declared by Jesus.

It is no false philosophy or strained interpretation of ancient history to read in the

course of all these efforts a pathetic testimony to the need of mankind for the Kingdom of God. It was as an infant crying for food, conscious of need and craving for satisfaction, but incapable of giving expression to that which he desires. All such efforts either failed or enjoyed a temporary and partial measure of success, not because they pursued an altogether visionary end, but because the "fulness of time" had not yet arrived for the promulgation of the one and only method whereby the universal longing could be satisfied. But the darkest hour precedes the dawn, and to a sin-stricken world, disillusioned as to its own innate power to regenerate itself, there came the conception of a new and universal religion, involving the brotherhood of men, and offering to every one the glorious message of redemption and immortality. The converging lines of preparation met at length, concerning which Augustine wrote, "Christ appeared to the men of a worn-out dying world, that, when everything around was sinking into decay, they might, through Him, receive a new and youthful life."

We cannot attempt to trace through the pages of history the thread of the idea. Here it must suffice to indicate a few illustrations

of the effort to realise this object. Zeno,¹ the founder of the Stoic Philosophy, stated a lofty conception when he declared that his aim was to induce men, whatever the nation of each might be, not to live apart in his own city, and divided by individual rights, but to regard all men as fellow-citizens, so that there might be one life and a common duty. It fell to the lot of Alexander the Great² to attempt to realize Zeno's conception; and this he did, by essaying to combine Eastern and Western nations in one great monarchy. Plutarch enlarges on his method, and informs us that Alexander regarded himself as commissioned by Heaven to be the universal peacemaker. He mingled together as in a loving cup, customs, marriages and modes of life, and sought to induce all men to consider the whole world as a native land.³

¹ That permanent principle in Stoic Philosophy, the common brotherhood of man obliterating all distinction of nationality, was first enunciated by him (Πολιτεία).

² Although Alexander failed to achieve his ideal of a universal monarchy, his efforts profoundly affected the missionary propaganda of the early Church. He was the means of introducing the Greek language amongst the Jews, who flocked for commercial purposes to the cities he founded. So numerous were Greek-speaking Jews in Alexandria, that the Septuagint was prepared for their use, as Hebrew and Aramaic were no longer familiar.

³ Ἀλλὰ κοινὸς ἦκειν θεόθεν ἀρμοστὴς καὶ διαλλακτὴς τῶν ὄλων

8 ALEXANDER AND HELLENISM

He sought to remove the barriers formed by race and language, for at Susa, in B.C. 324, he, together with nearly one hundred of his generals, wedded wives of the Persian race, on an appointed day.¹ In short, his method was to spread Hellenism, and thus attain Zeno's philosophic conception; for "Hellenism meant fusion of race, unity of language, union of cities in a great monarchy, religious toleration and comprehension."

The empire won by Alexander almost within a decade, and stretching from the Mediterranean to the Indian Ocean, was not long maintained in its integrity. But conquests of a different and more abiding character resulted from the policy of planting Greek colonies within the cities founded by him and his successors in Syria, Asia Minor, Egypt, and the farther East. In these cities, such as Alexandria and Antioch, learning was fostered and developed, Greek manners and customs were observed; above all, from them proceeded the Greek lan-

νομίζων, . . . ὥσπερ ἐν κρατῇρι φιλοτησίῳ, μίξας τοὺς γάμους καὶ τὰς διαίτας, πατρίδα μὲν τὴν οἰκωμένην προσέταξεν ἡγεῖσθαι πάντας.—*De Fort. et Virt. Alexandri*, lib. i.

¹ "It was an outward and startling expression of the idea that the clash of arms was now over and done with. Henceforward the East should wed the West."—E. L. Hicks, *St. Paul and Hellenism*, p. 2 (Studia Biblica).

guage, a peculiarly fitting vehicle for setting forth the truths of Christianity, and destined to become the common tongue of the civilised world.

The policy initiated by Alexander affected the East; but that policy was carried on by Rome, being applied to an area far wider, and embracing Western nations. To sum up Rome's unconscious work of external preparation for the Gospel, — Wars between nations were brought to an end, and by the time Christianity was ready for entrance on its work, there was universal peace; barriers hitherto impassable between race and race were overthrown; commerce, and incidentally travel on the seas, were safeguarded from the perils of piracy; admirable roads were constructed, policed by the representatives of Rome, furnishing safe and easy communication between most distant portions of the Empire; the administration of public affairs was marked by no small degree of justice and efficiency, more especially from the date of the termination of the Republic, 27 B.C. (see p. 36). So highly were the resulting benefits appreciated, even by remote communities, that the central civic administration at Rome was employed as a model, to be imitated in its smallest

detail. Movements such as these undoubtedly paved the way for the onward march of Christianity.

We have briefly referred to the more external preparation, but this did not stand alone. Another preparation—which may be termed ‘spiritual’—was progressing. For God, “who in the generations gone by suffered all the nations to walk in their own ways” (Acts xiv. 16), had thereby provided a needful discipline which at length began to bear fruit. The conviction was extending, that attempts to find truth, abortive in previous experience, promised no better hope for the future. Belief in the earlier and purer forms of heathen religion was gradually yielding to systems permitting such moral corruption as that described by St. Paul in the first chapter of the Epistle to the Romans. It was no mere accident, but a Providential design, that men should learn by disappointing experience that they could evolve no practical scheme for the regeneration of the race. In his philosophic indictment of these false systems, St. Paul sums up the general trend of heathenism,¹ whether

¹ “The standard which St. Paul applies is not that of the historian. He does not judge by the average level of moral attainment at different epochs, but by the ideal standard of

in Greece, Rome, or the East. There he traces in definite order the causes of their gradual debasement. He asserts, as the starting-point, that mere ignorance of God is not the explanation for failure of these systems, since men might have known "His everlasting power and divinity" by the witness of Creation, apart from Revelation. But slighting such truth and turning to vain speculations, men adopted idolatry. Wherefore, having "exchanged the truth of God for a lie," the Divinely-appointed judgment followed—a reprobate mind—with all its awful consequences of unspeakable moral corruption.

The glimpse afforded of better things increased the cravings of many for amelioration while despairing of its attainment, for the mental habit of the times was incapable of the modern conceptions of progressive development. Men were too prone to look to the golden age¹ of a traditionary past as the ideal state, and were therefore readier to retrace their steps than advance them.

that which ought to be attained."—Sanday and Headlam, *Crit. Com. Romans*, p. 51.

¹ Thus Virgil says—

"Aurea condet
Sæcula qui rursus Latio regnata per arva
Saturno quondam."

Æneid, vi. 792-94.

Moreover, the theory of cycles, according to which history repeats itself in one continuous round throughout the ages, asserted its pernicious influence.¹ It was definitely asserted by Plato and Cicero. Men perceived much that appeared to support the theory, for while schemes to secure some better state of society than those founded on force had brief periods of comparative success, nevertheless the results were transient, the old order returned, and despotism again and again asserted itself.

St. Paul recognised what the pagan mind had not yet perceived, that all these longings, mingled with the sense of utter failure, were but disciplinary experiences in a quest inspired of God, whereby the Divine plan was being worked out. If men were to give a hearty acceptance to the noble conception

¹ Celsus, assuming the ceaseless round of cycles in history, ridiculed Christians for their hope of progress and improvement—'Ὁμοία δ' ἀπ' ἀρχῆς εἰς τέλος ἡ τῶν θνητῶν περίοδος· καὶ κατὰ τὰς τεταγμένας ἀνακυκλήσεις ἀνάγκη τὰ αὐτὰ ἀεὶ καγεγονέναι, καὶ εἶναι, καὶ ἔσεσθαι (quoted by Origen, *Con. Cels.* iv. 65). The same idea is reflected in Virgil's best known Eclogue (iv. 5 and 6)—

"Magnus ab integro sæclorum nascitur ordo.

Jam redit et virgo, redeunt Saturnia regna."

'Magnus ordo' was the vast period of some thousands of years which terminates when the heavenly bodies return to their first position. Then the cycle of history was supposed to begin anew.

of the Kingdom of God, it was essential that first they should test their own self-evolved methods, that they should for a time be left to their own devices, so that they might realise what "men could do and what men could not do." Accordingly it is evident that in the world of thought and effort there was some preparation for such a kingdom. "Not only was it made manifest that all human societies founded on a merely secular basis had in them elements of decay that led to their dissolution or fall, but some of the principles that must find place in any perfect commonwealth had been brought to light; and though only partially and ineffectually applied, had yet become the possession of mankind. . . . There were more bitter cries of humiliation and misery just because men had known better things: there was the longing for pardon that could only be satisfied with the true pardon that the Son of God gives . . . and there was the cosmopolitan spirit that could understand a kingdom that was to embrace all nations. Such things the nations needed; and in so far as they were led in their struggles after a perfect commonwealth to feel their need, was not this the hand of God preparing for the establish-

ment of that Kingdom which 'cannot be moved' " ? ¹

It was St. Paul's privilege to be the first to proclaim to Gentile nations satisfaction for this "earnest expectation of the creation." He claimed that the religion he preached was universal, for every nation and every grade of men. That was a conception so novel, so contradictory to notions hitherto prevailing, that it seemed incredible. But what man deemed impossible, was possible to God; and thus he argues on Mars Hill, if "God made of one blood all nations of men," then only one conclusion is admissible—all are to worship Him.

Universalism such as this could not have been proclaimed by a narrow and bigoted Jew, a fact significant of the wisdom of the Divine choice in the selection of this herald of the Kingdom of God. St. Paul had faith sufficient to believe that the message he was about to proclaim would secure the allegiance of the Empire as a whole; and being, as has well been said, "a great ecclesiastical statesman," he was not slow to seize the external advantages prepared under God by the Empire. In all this political and moral preparation for the

¹ Candlish, *Kingdom of God*, p. 44.

Gospel of Christ, "the valleys were being exalted and the mountains brought low" for its promulgation.

Just as it was the temporal policy of Rome to enter into and continue the work initiated by Alexander the Great in the West, so was it the spiritual policy of St. Paul to carry on and elevate this work of the Roman Empire; for, as Renan reminds us, the unity of the Empire was the preliminary condition to any great religious proselytism which should transcend every nationality. There is truth, too, in his remark, "Had any told St. Paul that the Emperor Claudius was his chief co-operator, or Claudius, that the Jew just setting out from Antioch was about to found the most enduring part of the Imperial structure, both would have been much astonished. Nevertheless both sayings would have been true."

So long as Rome was engaged in her wars of conquest, and in the labour of consolidating refractory portions of the vast territories which had fallen under her sway, just so long were legitimate aspirations after higher things suspended; but a lasting peace established, mankind began to realise that the business of the camp or forum did not

furnish the only worthy motives of life. In terminating international strife throughout the world, Rome had awakened the spirit of social and religious unrest ; for while war and kindred matters occupied men's minds, such ideas slept. Universal peace, the Pax Romana, however, arrived at length, and became the greater awakener of conceptions and aspirations, destined to find their culmination in the Gospel of Jesus Christ.

CHAPTER II

The Palestinian apostles not qualified to proclaim a universal Gospel—Peril lest a reformed Judaism should supplant Christianity—Universal purpose of Christ's mission—Stephen the forerunner of St. Paul—His attitude towards the Temple as an obstacle to God's design—St. Peter's halting acquiescence in regard to Gentile evangelization—Rome's unconscious assistance in St. Paul's mission—His approval of "the powers that be"—Spiritual truths finding expression by means of legal terms—Difference between St. Paul's presentation of Christ and that of older apostles—His estimate of the Law and avoidance of Jerusalem—Reason for wide-spread knowledge of Roman Law—The unity of the Roman Empire, a condition precedent, if the mission to Gentiles to succeed—Attitude of Roman magistracy—Means of communication between distant parts maintained—St. Paul's purpose in the intended visit to Spain—Summary.

THE setting apart of St. Paul as the herald of the Gospel to Gentile nations, marks an event in history of the Christian Church, the importance of which it would be impossible to exaggerate. The Palestinian Apostles had shown that they were unable to grasp in all its fulness the conception of a universal Gospel, nor were they qualified to follow up the issues involved in the proclamation of

such a faith in Gentile lands.¹ If Christianity was to escape the trammels of the narrow-minded system in which it was born, it was an indispensable preliminary that a leader of another type should arise, capable not only of restraining his fellow-apostles from relapsing into a form of Judaism, but preserving for the world at large a Christianity emancipated from traditions, which would have been fatal to the propagation of a universal faith. For one of the first perils encountered by the Christian Faith arose from the incapacity of its earliest followers to grasp the fact, that in Christ Jesus the distinction between Jew and Gentile was abolished. So long had it been true, and so tenaciously was the prerogative cherished, "Salvation is from the Jews," that grave danger was involved lest the new Faith, centring at Jerusalem, should only be a reformed Judaism.

It is not possible for *us* to mistake the import of Christ's words, concerning the Divine purpose for Gentile nations, "other

¹ The eleven approved of the Gospel of the uncircumcision as preached by St. Paul, provided it was limited to heathen converts, "while they confined their own ministry to the Jewish world, being humbly conscious of unfitness for work in any other sphere."—Bruce, *St. Paul's Conception of Christianity*, p. 57.

STEPHEN'S LIBERAL OUTLOOK 19

sheep I have, which are not of this fold: them also I must bring, . . . and they shall become one flock,¹ one shepherd" (John x. 16). But till the liberal outlook and evangelical zeal of Stephen began to awaken the older apostles to the comprehensiveness of the grand ideal, that truth had lain inert and dormant in their minds. He it was who first perceived that the limitations imposed by the Palestinian apostles would be fatal to Christianity as a world-wide faith. For this large-mindedness he paid the forfeit of his life, but not before he had vindicated his attitude, by the unanswerable argument that God had granted a spiritual revelation to Abraham, and made His covenant with him, *before* Tabernacle or Temple were erected, with which the Jew associated exclusive holiness.²

¹ The A.V. rendering "fold" is misleading, and responsible for narrow views of the visible Church. Ποίμνη does not mean "fold," but "flock." The error, introduced from the Vulgate (*ovile*), was incorporated in Wycliffe's version. The play on the Greek words is represented in Luther's translation, though not apparent in English: "und wird eine Herde und ein Hirte werden." The unity implied in Christ's words does not consist in an aggregation of individuals within one fold (αὐλή), but springs from union with the Common Shepherd, wherever, in time or space, the sheep may be.

² Καὶ ναὸς οὐκ ἦν, καὶ θυσία οὐκ ἦν, καὶ θείας ὑψέως ἡξίωτο Ἀβραάμ, καὶ προγόνους Πέрсας εἶχε καὶ ἐν ἀλλοτρίᾳ γῇ ἦν.—Chrysostom, *Hom.* xv. 2 (Acts).

The nation had put the Temple in the place of God, and made it an object of idolatry. Accordingly, since the Temple and the Law had become obstacles to the fulfilment of God's designs, Stephen, by revealing their relative unimportance, would lead his audience to a true spiritual perspective in regard to them.¹

A special revelation was needed to convince St. Peter that narrow Judaistic limitations were foreign to the Divine purpose of spiritual freedom, and that the time had come for the portals of the Church to be thrown open widely to all believers. Even then, such was his prejudice, it was only with a halting acquiescence he conceded the principle of a universal gospel, untrammelled by the conditions of its birth. His interrupted fellowship with Gentile Christians of Antioch, proved his reluctance to accept whole-heartedly the new conditions and carry out in practice, in the churches, what he was almost forced to admit in theory."

"In these circumstances St. Paul was ordained of God to reveal the universality of the Gospel; and so peculiarly was he

¹ To the mind of Augustine, Stephen's witness had a close connection with St. Paul's conversion, as appears in the well-known words, "Si Stephanus non orasset, Ecclesia Paulum non haberet."

fitted for the emancipation of the faith, that the results of his mission bear convincing witness to the wisdom of the Divine choice. Seldom, perhaps never, have such qualities as were his, been united in one personality. Nurtured in a Greek city; educated at the feet of Gamaliel; a born Roman citizen with a knowledge of the law¹ enabling him to engage successfully in legal argument with the practised advocate Tertullus (Acts xxiv. 1); he was equally at home in disputation with Jew or Greek or Roman. As we comprehend his marvellous versatility and commanding intellect, his statesmanlike powers of organisation, his indomitable purpose, his spiritual fervour, his tenderly sympathetic nature and his extraordinary powers of physical endurance, we realise the fitness of the instrument, selected by God, for the evangelization of the Gentile world.

¹ The trial of St. Paul, being a Roman citizen, was conducted on the lines of Roman criminal procedure, involving the 'criminis delatio,' the 'citatio,' etc. referred to in Acts xxiv. 1-2. The accusers were assisted by the clever pleader, Tertullus, but the Apostle successfully defended himself. In two of the three counts he based his defence on Roman Law: (1) Rome recognised and authorised Jewish worship as a 'religio licita.' His presence in the Temple accorded with that State recognition. (2) He challenged the legality of the trial as a whole, since according to Roman Law the witnesses ("Jews from Asia," Acts xxi. 27) must be produced, but they were absent.

Information gathered from archæological and other sources accumulates concerning the condition of the Romano-Greek world, in the early days of Christianity, and it becomes increasingly evident that St. Paul was much indebted to the rule of Rome and the Imperial administration in the provinces, for unconscious assistance in his missionary efforts. That debt he would probably have been the first to acknowledge ; —a presumption justified by his approval of "the powers that be," and by the fact that he, recognising the civil power of Rome, as divinely appointed, was the first amongst the writers of the New Testament to insist upon its due recognition by his converts.¹ It was a sense of what he owed to the civil power that prompted him to declare, "It is a minister of God to thee for good" (Rom. xiii. 4). That power, which through its administrative machinery, not only rendered travel possible and gave protection from the tyranny of local officials, and also the political unity achieved by Rome, impressed him with the conception of the

¹ Deissmann, *Light from the Ancient East*, p. 343—"He sees no theoretical difficulties in all the small political questions that affect the humble individual : to respect and pray for the powers in authority is as natural to him as the payment of tribute and custom."

STORE-HOUSE OF ILLUSTRATION 23

Christian Church, as a universal spiritual empire and impelled him to consider Spain, the western limit of Roman power, as the goal of his evangelistic ambition.

In the Roman Law itself, and its modified form in the East, he found ready to hand a supply of terms and illustrations familiar to his readers, fitted to give expression to spiritual truth, such as the Fatherhood of God and the corresponding spirit of sonship; the unity of the faithful as citizens of an instant celestial kingdom:¹ the privileges of believers as joint heirs with Christ. Truths like these, truths novel to his readers, he did not hesitate to set forth in the terms of a pagan legal code, content if he might thereby extend his Master's kingdom. Liberality of method, such as this, was one of the features which distinguished him from the Palestinian apostles, fitting him for his special work and prompting means concerning which he himself says, "I am become all things to all men, that I may by all means save some" (1 Cor. ix. 22).

It cannot be a matter of surprise that his

¹ *e.g.*, Phil. iii. 20, Ἡμῶν γὰρ τὸ πολίτευμα ἐν οὐρανοῖς ὑπάρχει. The verb marks an objective and abiding existence. In the context, ἐξ οὗ is important in this connection. Moulton regards it as convertible with ὅθεν and thus connected with οὐρανοῖς, but this is questionable.

24 PRESENTATION OF CHRIST

presentation of Christ should differ from that of the older apostles. For even they, notwithstanding underlying harmony, exhibit a diversity in their conceptions of the Person of Christ, and their teaching as to aspects and issues of the Christian life. Since the Palestinian apostles, with a common training and a singular identity of spiritual experience, exhibit these variations, then, *a priori*, St. Paul's theology would exhibit features differing from those of his fellow-apostles. They were untutored provincials, but he was a native of a cosmopolitan city, a born Roman citizen who had spent his youth and early manhood in the midst of a community impregnated with the doctrines of men like Athenodorus, the Stoic, and possessed, moreover, of a catholicity begotten of extensive travel and intercourse with many nationalities. Nor is such a conclusion unwarranted, for it is confirmed by the study of the Pauline theology, the examination of which discloses many features which differentiate the Apostle to the Gentiles from those mainly concerned with the Jew.

The fertile imagination, the keenness of his moral observation, his religious fervour, animated by a liberal spirit and far-seeing statesmanship, prompted methods, both of

expression and work, which, compared with theirs, might be called revolutionary, but were necessary, if he was to accomplish his mission to the Gentiles. Nor can we fail to note that the prevailing spirit amongst the apostles at Jerusalem was so foreign to his own, that for three years he represses the legitimate desire to commune with those who had companied with the Saviour. When at length he went to Jerusalem, it was to visit St. Peter, and him alone, whose teaching and methods were more akin to his own than those of St. James; but his protest is emphatic, that the Christianity he preached was not derived from them at Jerusalem, "which were apostles before me" (Gal. i. 17). The mental attitude towards Judaism which could speak of its "weak and beggarly rudiments," could never have been implanted by them. There is much to be said for Weizsacker's¹ contention, that Jerusalem was avoided by St. Paul, because he was well aware that the spirit prevailing there was foreign to his own, and that when he did go, the visit was rendered possible because he realised that there was no longer a fear of interference with the independence of the definite and distinctive attitude he

¹ *The Apostolic Age*, p. 95 ff.

26 ST. PAUL'S VIEW OF THE LAW

had determined to adopt. How completely he had broken loose from their teaching, may be estimated by the bold and revolutionary position he took up in regard to the Law. "Had we no other information as to his doctrine concerning the Law (than that contained in the Epistle to the Galatians), we might readily take his meaning to be that it was added to *restrain* transgression. It would be nearer the truth to say that he means to suggest that the Law was given *in favour* of transgression, to provoke resistance to its behests. This is certainly a very bold idea, but it is none the less likely to be Pauline."¹

Instances of, and reasons for, the divergence of St. Paul, both in spirit and in method, might be multiplied, but sufficient has been already stated to justify the conclusion stated above, and disclose the probability that the Pauline theology would be formulated in terms differing in many respects from those of the older apostles.

We are chiefly concerned, however, with the fact that St. Paul, and he alone, utilised current terms of the great legal system of his day, which as a "master of metaphor" he found adaptable for his purpose. He

¹ Bruce, *St. Paul's Conception of Christianity*, p. 63.

perceived that here was to his hand a vehicle capable of being employed for the formulation of doctrines he had been commissioned to proclaim.¹

It may be objected that the last statement begs the question, that scope for the employment of legal terms as ancillary to St. Paul's aims for the propagation of the Gospel was restricted to a very small minority, since knowledge of the law must have been confined to the comparatively few interested in legal matters. That was not the case, and an objection of this kind imports modern custom into the first century. The fact is that a deep reverence for law was, for long, one of the moral characteristics of the times, and in order that it might be inculcated from the earliest years, it was a part of the Roman system of education to oblige the children to repeat by rote the code of the Decemvirs. This decemviral code, otherwise the Twelve Tables, was to the Roman youth what the catechisms of the various Churches are to the children of to-day.²

¹ "It is a matter of great importance how gospel conceptions were expanded and adapted to the world, when we try to understand Christianity as a world religion."—Deissmann, *Light from Ancient East*, p. 332, n. 4.

² The case of Cicero supplies an illustration. He states (*de Leg.* ii, 59) that as a boy he was taught to repeat by

Moreover, those who dealt under the ægis of the Roman Empire were compelled, for reasons of everyday life and personal security, to have some knowledge of the law. In modern times a man can afford to be ignorant of it, but it was otherwise in the apostle's days. Every man was obliged to be, to a certain extent, his own lawyer, as there was no class of professional men, corresponding to our modern solicitors, to whom we commit the conduct of legal affairs. Questions regarding inheritances, legacies, adoption, slavery, status, contracts, tutors, wills, were continually arising, and no man who valued his rights could afford to be in complete ignorance of his privileges and liabilities.¹ Such, then, was the soil which lay ready and receptive for the casting of the seed.

This, however, is but one aspect of a rote the text of the Tables:—‘discebamus enim pueri XII, ut carmen necessarium.’

¹ In early Roman times the Patricians jealously guarded from the Plebeians the knowledge of the law, hence the frequent and bitter disputes arising from its uncertainty. This was terminated in 451 B.C. by the appointment of ten commissioners (*decemviri legibus scribendis*), who compiled a code of the law—which may be regarded as the Magna Charta of the Roman people—and made its knowledge public by inscribing them on tables of bronze, placed in front of the Senate House. Hence none could plead ignorance of the law.

great truth. The other is St. Paul's own attitude towards the legal institutions and administration of the Roman Empire. He himself had a pride in his connection with the Empire, nor can we "fail to be struck by the strong hold that Roman ideas had on the mind of St. Paul." We have but to perceive the policy he adopted for the evangelization of the Gentile world to be convinced of the accuracy of this statement. Previous to his work at Antioch, he had laboured only in the smaller provincial centres; but the withdrawal from Antioch coincides with the inception of a different and far bolder policy, namely, the expansion of Christianity through the medium of the Roman Empire itself. The proof of this statement lies in the fact that all his efforts and movements subsequent to the commencement of the Second Missionary journey are dominated by this bold conception. The goal of this period of his ministry was Ephesus, the metropolis of the Roman Province of Asia, and "the door of the East toward the West. There, sheltered by the Roman magistracy, he was enabled to carry on his work for three years in the very home of the worship of the Ephesian Diana." For the accomplishment of this grand policy

he utilises the facilities which, as a Roman citizen, were at his disposal, and which he well knew how to employ to the best advantage.

But this was by no means the full measure of the Apostle's indebtedness to the Roman régime. Renan observes that "every province conquered by the Roman Empire was a province conquered for Christianity," and without the political preparation which followed these conquests, the difficulties for the Apostle would have been enormously increased, perhaps insurmountable. The same writer draws a picture of the obstacles which would have lain in the Apostle's path if Asia Minor, Greece, and Italy had been divided, in the first century, into a hundred little republics. In such circumstances it would be impossible to conceive of his success. The unity of the Empire was the condition precedent, if he was to succeed in winning men to the conception of a kingdom which knew no frontiers, involving a unity superior to all nationalities. We may be quite certain that the keen perception of St. Paul was not oblivious of the striking analogy to the Church, presented by the development of the Roman Empire. Its progress from an insignificant

Italian State to world-wide supremacy is a marvel in history. Bitter racial animosity was swallowed up in admiration, which prompted foreigners and aliens to solicit the honour of citizenship and sink estrangement in common fealty to the Emperor. So, too, Christianity, going forth to world-wide conquest, had its roots in Judaism, the religion of a despised and insignificant people; but from it proceeded the Messiah, through whose heralds the sway of universal empire was claimed. Just as Rome had abolished barriers between state and state, so had Christianity overthrown Jewish particularism. Henceforth such distinctions, "Greek and Jew, circumcision and uncircumcision, Barbarian, Scythian, bondman, freeman," were meaningless to St. Paul, for "Christ is all and in all."¹

In order that we may appreciate the possibilities, for the furtherance of Christi-

¹ In the writings of St. Paul, the death and ascension of Jesus are shown to involve the catholic and spiritual character of His kingdom (Eph. iii. 13-20). Believers are taken up into the fellowship of that celestial life which He now leads (Phil. iii. 20). The Apostle no longer knows "Christ after the flesh" as a member of one nation, as a Hebrew (2 Cor. v. 16). The abolition of Judaic particularism and the impartial freedom of the Christian brotherhood, is the legitimate consequence of the heavenly and glorified life that belongs to Jesus. See Fisher, *The Beginnings of Christianity*, p. 513.

anity, created and opened up in the founding and expansion of the Empire, we have but to recollect the condition of the Greek republics. They were a type of other ancient governments, and in them liberty of thought was utterly unknown. But the suppression of these and similar states made for freedom. The policy of the Roman Empire was to consolidate and pacify all the nations which lay around the Mediterranean, with Rome as the centre, from which an effective administration issued to the furthest limits of the Imperial sway. Thus was the great world-power of the day preparing the way for the spread of the kingdom of Christ, and through its agency, events were overruled to the founding of "a kingdom which cannot be moved." By this Imperial policy of consolidation and the administrative system established throughout the Empire, St. Paul was signally aided to attain his object and convey his message to unevangelized regions, as he says, "making it my aim so to preach the Gospel, not where Christ was already named . . . but as it is written, They shall see to whom no tidings of Him came, and they who have not heard shall understand" (Rom. xv. 20, 21).

The protection afforded by the Roman

magistracy was so helpful that its records occupy no small place in Acts. At Antioch, Corinth, Philippi, Thessalonica, Ephesus, and many other places, the Apostle came into collision with opponents, but they were either Jews or local officials, and not Roman magistrates. These latter, while refraining from interference with the Jewish worship and religion, as a 'religio licita,'¹ controlled, and sometimes prevented, the effects of that fierce persecution which followed in the steps of the Apostle wherever he aroused Jewish opposition. Again and again his enemies essayed to prejudice the Roman officials, but the 'Duoviri'² were not to be enlisted either by Jew or Gentile, in the cause of persecution. The Roman policy or the sense of justice prompted the refusal.

This attitude of the Roman magistracy

¹ This term—due to Tertullian (Apolog. 21)—was unknown to Roman law. It was the "*collegia licita*" which were recognised. The Jews of the Dispersion became so numerous that with the Greeks and Romans they were termed 'a third nationality.' Their numbers, together with their loyalty to the ruling power,—so long as their religion was not interfered with—brought about the State recognition of Judaism.

² The official title of the highest Roman magistrates in colonial and municipal towns was 'duoviri juri dicundo.' These were responsible for the judicial side of affairs; two others, the 'duoviri ædiles,' corresponded to our city surveyors.

is well illustrated by the treatment meted out, by the proconsul of Achaia, to the accusers of St. Paul. He refused to entertain their plea and then stated the ground for his decision, "If indeed it were a matter of wrong or of wicked villany, O ye Jews, reason would that I should bear with you : but if they are questions about words and names and your own law, look to it yourselves ; I am not minded to be a judge of these matters. And he drave them from the judgment seat " ¹ (Acts xviii. 14-16).

The objection may be raised that this and similar incidents do not necessarily imply a favourable attitude towards the Apostle's work, since the reason assigned for the refusal of the Proconsul was based on the ground that he had no jurisdiction in such cases. But the accusation was clearly recognised in the Roman Criminal Law, and was a serious charge. The jurist Paulus informs us that the Criminal Procedure prescribed death or deportation for those

¹ According to Ramsay the purport of Gallio's decision is as follows : " If a misdemeanour or crime were in question, ye Jews, reason would that I should bear with you, but if they are questions of word, *not deed*, and of names, *not things*, and of your law, *not Roman law*, ye yourselves will look to it : to be a judge of these matters I *for my part* have no mind."—*St. Paul, The Traveller*, p. 257.

persons who introduced "new kinds of worship, unknown to custom and disturbing to weaker minds."¹ Various causes had led to the recognition of Judaism by the Imperial authorities as a "religio licita," and had given it a legal standing. Here was a man who was charged with an offence against public order, and had the Proconsul desired to do so, he undoubtedly could have committed the Apostle for trial.

By way of contrast with the foregoing, it is worth noting that when St. Paul visited Berea, a city which did not enjoy the benefits of the Roman administration, he found a favourable reception and a sympathetic hearing. Success was manifest, for many believed. Notwithstanding all this, he found it impossible to remain, for the Jewish opponents who had followed him from Thessalonica, uncontrolled by the Roman magistracy, raised such opposition, that the new converts were compelled to send him away. We cannot resist the conclusion that had the city of Berea been a centre of Roman administration, St. Paul would have found it possible to remain and carry on his work, in spite of Jewish opposition.

¹ Julius Paulus, *Sententiæ Receptæ* (5, 21, 2).

One of the few instances of injustice at the hands of Roman officials, occurred at Cæsarea, when Antonius Felix,¹ a man of infamous memory, in defiance of the laws enacted for the prevention of maladministration of justice in the provinces,² kept St. Paul a prisoner in the hope of extorting a bribe for his release.

The trust reposed in the justice of the Roman administration is illustrated by St. Paul's resolve to appeal to the Emperor, and Ramsay is of opinion that his purpose in doing so was to gain a recognition for Christianity as a 'religio licita,' and place it in this respect on an equality with Judaism. The imprisonment at Rome was scarcely an act of oppression, but rather a measure of precaution to prevent tumultuous assemblages.

We need only refer briefly to the assistance afforded St. Paul in his missionary

¹ The rule of Felix was terminated by his recall by Nero. The testimony of Tacitus (*Hist.* v. 9) throws light on this act of injustice to the apostle:—"Antonius Felix per omnem sævitiam ac libidinem jus regium servili ingenio exercuit."

² Administrative justice in the provinces was zealously maintained. Previous to the Lex Calpurnia repetundarum, the Socii knew of no case of exactions by governors, if we may trust Livy's evidence. Such offences were punished in the age of St. Paul by exile.

work by the surprising efficiency of the Imperial system of intercommunication between the different parts of the Empire. It was literally true to say, "all roads lead to Rome." Every province looked to Rome as the great centre of the civilised world. There in the Imperial city the fashion was set, which the provinces followed sooner or later. The policy of the Republic was to create and foster this conception, and it remained as a heritage during the first century. It is evident the best means to accomplish this end was by the formation and maintenance of reliable and convenient routes of communication, supplying a direct access to the city. Hence the excellence of the main roads to and from Rome, compared with the condition of the 'cross country' roads. Both in Italy and in the provinces, the efficiency of the road system was guaranteed either by the appointment of special officers, or by making the governors of each province responsible for the condition of the roads, and for maintenance of the peace along their course. Piracy on the seas and highway robbery were largely suppressed during the reign of Augustus, but in later years the conditions arose once more, which gave point to St.

38 ST. PAUL'S DESIRE TO VISIT SPAIN

Paul's reference to "perils of robbers" (2 Cor. xi. 26).

One of the strong desires of the later period of the Apostle's life was to reach the Imperial city, and thence to pass on to Spain, the most westerly portion of the Empire, with the intention of transforming "that great world centre, Rome, into a Christian centre," so that from her the light might shine, even to the utmost bounds, both East and West. While it cannot be confidently asserted that he accomplished his purpose and visited Spain,¹ the earliest Roman tradition, as contained in the Muratorian Fragment, expressly states he did so, and in this supports the statement of Clement. "Paul, having been a herald both in the east and in the west, received the high glory of his faith. When he had taught righteousness to the whole world and had come to the limit of the west,"²

¹ The chronology of St. Paul's life, as stated by Lightfoot, has been seriously questioned by competent authorities, from which it appears that the Apostle may have arrived in Rome early in 59 A.D. and been released from imprisonment in 61 A.D. Therefore the interval between the latter date and his martyrdom may have afforded opportunity for the visit to Spain.

² 'The limit of the West' (τὸ τέρμα τῆς δύσεως) is probably a phrase for 'Spain,' since a Roman writer would scarcely employ the expression as an equivalent for 'Rome,'

and borne witness before the rulers, he so departed from the world and went to the holy place."

It is a legitimate conclusion, to sum up what has been stated—that the methods employed by St. Paul for presenting the gospel would differ from those of the Palestinian apostles. The examination of the Pauline theology confirms that conclusion. He perceived the valuable use to which contemporary law and the Roman administration might be put, in view of the widespread knowledge of, and admiration for, that legal system; the protection afforded by the Roman magistrates; the facilities provided for travel by the Imperial power; all these were impressed into service for the attainment of that object so near to the Apostle's heart. The suppression of the smaller states, with their endless internecine strifes and the unity of the Roman Empire, all tended to prepare the way for the gospel of Christ. Otherwise the progress of the gospel would have been impossible. "Even Judaism," as Renan insists, "but for the pressure of Roman authority, would have been strong enough to stifle it. The Jews were prevented by the Roman magistrates from killing it."

St. Paul's methods may not have commended themselves to the Palestinian apostles as a whole, but when we ponder the difficulties of his labours and their amazing results,¹ no other conclusion is possible than this—God was ratifying the peculiar methods employed by His servant—and the Divine approval crowned with success the endeavours to bring home to men's hearts that Gospel, thus “made known unto all the nations unto obedience of faith ” (Rom. xvi. 26).

¹ “ The world-wide activity of St. Paul, extending through a period of thirty years, beginning at a time when he was in the full vigour of life and not terminating till he had become ‘ Paul, the aged,’ was the prime means of establishing the Christian religion in Europe.”—Fisher, *Beginnings of Christianity*, p. 523.

CHAPTER III

The Empire facilitated the Apostle's work, but at same time was a cause of hindrance—Spread of Cæsar-worship—Poverty of Gentile conceptions of spiritual truth—Judaism provided a basis for Christian doctrine—Wide diffusion of Greek language—St. Paul's recognition of the best elements in Gentile religions—Many hitherto unsuspected passages of Scripture have as a background contemporary law and usage—A nidus in Roman law for development of inquiry in Theology and Moral Philosophy—Atmosphere created by Imperial rule and legislation favourable to novel truths of Christianity—Rome infected conquered peoples with passion for study of jurisprudence—Nations educated in conception of political brotherhood—Converging lines in Roman policy and Christianity.

THOUGH moral and political conditions, such as those described in a previous chapter, facilitated St. Paul's mission, at the same time hostile and embarrassing elements were involved in the problem of Gentile evangelization, whose tendency was to retard the free course of revealed truth; for as Prof. Gwatkin has observed, "if the Empire was the greatest of helps, it was also the greatest of hindrances to the gospel." Thus the spread of 'Cæsar-worship' throughout the Empire, constituting an element of most

serious opposition to Christianity, began to replace the many and varied forms of worship formerly observed, though local cults, in accordance with the general Roman policy, were not prohibited. The Senate deified deceased emperors (*divi imperatores*)¹ who were considered to represent the divine majesty of the Roman State, the new cult thus giving expression to the national unity. In the year 39 A.D., Caligula attempted to set up his statue within the precincts of the Temple at Jerusalem, in order that he might be worshipped as a god, and decreed that divine honours should be paid to him. The Jews everywhere refused; but after a brief persecution they were expressly exempted from compliance by the succeeding Emperor, Claudius. This edict of toleration did not extend to the Christians, consequently "through this official religion, dissent became also high treason" in their case. Multitudes of those who had accepted Christianity suffered martyrdom by refus-

¹ The term, first applied to Julius Cæsar, was stamped on the coinage, *e.g.* the denarius of Tiberius; the coin used in the question of the tribute money put to our Lord (Matt. xxii. 20) bore the legend, TICÆSAR DIVI AUG F AUGUSTUS. Virgil refers to Augustus (*Æneid*, vi. 793, 'Augustus Cæsar, Divi genus'), the adopted son of C. Julius Cæsar, as 'offspring of a god.'

ing the test proposed, namely, that they should sacrifice to the Emperor. It has been suggested with much probability that the wide dissemination of the new Imperial cult, with one of its most important centres at Pergamum, prompted St. John's reference to that city as the "throne of Satan."¹

And yet adverse as all this might appear to be to Christian hopes and efforts, there was another aspect of the subject. Save for the Jews and Christians, the cult of the Emperor became a universal worship, "as a recognition of the unity of the State," and familiarised mankind with the—hitherto unknown—conception of a universal religion. It "did indeed prepare the way for the Christian Church . . . it co-ordinated the various religions of the province into something approximating to a single hierarchy."²

As a religion, it was almost valueless from a devotional point of view; but when an

¹ Οἶδα ποῦ κατοικεῖς ὅπου ὁ θρόνος τοῦ Σατανᾶ (Rev. ii. 13). Pergamum, the capital of the Roman province of Asia from 133 B.C., had two temples, dedicated solely to the Imperial cultus, one to Augustus, another to Trajan, and probably a third to a later emperor, whence the designation, *τῆς Νεωκόρου*. This is evidence for the importance of Pergamum as a seat of 'Cæsar-worship,' more especially as it was one of the earliest cities, if not the first, to dedicate a temple for this purpose.

² Ramsay, *Christianity in the Roman Empire*, p. 133.

emperor of the type of Nero ascended the throne, even heathen minds revolted at the thought of rendering divine honours to such a man. Thus were they induced to give a readier hearing to the preaching of the new Faith, with its ideals of purity, truth, and love. Again, we may not overlook the fact that "there were also certain direct legacies from the old Roman religion, of which Christianity could dispose with profit in the shape of forms of ritual, and what was of even greater value, words of real significance in the old religion which were destined to become of paramount and priceless value in the Christian speech of the Western nations."¹

But we are here particularly concerned with the impediment arising from the extreme poverty of Gentile conceptions of spiritual truth, and the absence of a phraseology, whereby St. Paul might clothe the novel ideas involved in his message. We can form some conception of the difficulty in this respect if we contrast his position with that of those teachers who laboured to convert the adherents of Judaism to Christianity. Monotheistic ideas were embedded in the Hebrew religion. The Jewish people had an "antecedent aptitude" for religious

¹ Fowler, *Religious Experience of Roman People*, p. 465.

truth, and no language was more fitted than theirs, for the expression of spiritual ideas. The meaning and results of sin were emphasised, both by precept and example; its far-reaching effects stood fully revealed upon the first pages of the Jewish Scriptures; means of atonement were provided whereby intercourse between man and God could be restored. The spiritual education of the Jewish race could be summed up in the statement, that it was one long and gradual enlightenment as to the moral attributes of the great eternal Power, whereby the knowledge of God, both as regarded His justice and His mercy, was possible.

Thus Christian teachers who laboured to win the Jews, had but to erect the superstructure of Christianity upon the foundations of Israel's ancient religion, whereas St. Paul was confronted by the difficulty that such a basis was non-existent among the Gentiles. For them it was necessary to enunciate a complete theory of natural and revealed religious truth,¹ and without St.

¹ "When the Apostles went to the Gentiles they could not build upon familiar Jewish conceptions. They must find or create an equivalent for them upon heathen ground. They had to lay a foundation in the natural intuitions and conscious necessities of the human soul, apart from all special revelation."—Fisher, *Beginnings of Christianity*, p. 511.

Paul, or some one like him, imbued with Gentile culture, the Christian religion could hardly have extended itself beyond Palestine.

No doubt Greek—the language employed by St. Paul—was admirably fitted for his purpose,¹ being a most flexible instrument, and, at the same time, most widely spoken. In fact, no other language was needed by the traveller, between Spain and Syria, so effectively had the projects of Alexander the Great taken root. Notwithstanding this, Greek did not supply a Christian nomenclature, its exquisite pliancy with difficulty accommodated itself to the new sentiments and convictions. It had either to “endure the naturalisation of new words, or to deflect its own terms to new significations. In the latter case, the doctrines were endangered, in the former, the purity of the language.” St. Paul had therefore to weave the very garments in which he could array his mes-

¹ “Greek furnished the vehicle by which the revelation of God through Jesus Christ was given to the world. Its origin discloses its fitness for its providential office. It embodied the lofty conceptions of the Hebrew and Christian faith in a language which brought them home to men’s business and bosoms.” Christianity has “elevated, spiritualised, transfigured, words previously current. It has set old terms in new relations. It has added lustre to conceptions already radiant.”—*Vide* Thayer, Hastings, *Dict. of B.*, vol. iii. p. 36 ff,

sage. A close parallel exists at the present day in the case of heathen races, for whom versions of the Scripture are prepared in the native language. The translators are faced at times with almost insurmountable difficulties, arising from the lack of spiritual ideas, and consequently the absence of terms in the vernacular, capable of reproducing the import of the primary conception, as set forth in Holy Scripture.

Similar difficulties confronted St. Paul, but God had selected a herald gifted with peculiar qualifications for the work. He was a native of Tarsus, a seat of Greek Philosophy scarcely inferior to Alexandria or Athens. Stoicism was there most ably taught by such philosophers as Nestor and Athenodorus. It was a cosmopolitan city, and as a seat of learning and philosophy, the meeting-place of both Greeks and Orientals. Now it would have been impossible for a young man gifted with the mental capacity of St. Paul, to pass his most susceptible years in the midst of such a community and remain in ignorance of the heathen philosophy. We know he was sufficiently acquainted with the pagan practices of his native city to be able to formulate an indictment of heathenism, such as that

set out in his epistle to the Romans. His was the peculiar, but important qualification, namely, to know the best and the worst of Gentile religions. This knowledge enabled him to attack heathen systems in their most vulnerable points; at the same time his acquaintance with Roman Law was of no little service in furnishing him with many an easily intelligible analogy to make things plain, and to formulate a constructive system, appealing to men whose hearts he sought to win.

The extent to which he is indebted to it, is a matter of discussion (see page 59), but it is unquestionable that various legal metaphors, such as adoption, inheritance, tutelage, slavery, manumission, were consecrated by him to the high office of conveying his doctrine and facilitating its comprehension by heathen minds, impoverished of spiritual conceptions and strangers to the novel truths he proclaimed.

As an illustration of this fact we may refer to manumission from slavery. During a lengthened period of Roman history, the slave's whole earnings were the property of his master. But gradually the hardship was relaxed and it became a recognised custom to permit the slave to retain, for his

own use, his savings (peculium), or what was given him as a reward for any special services. His savings might accumulate till he had sufficient to purchase freedom from his master. Roman and Græcko-Roman law employed various methods for manumission, but that mode whereon St. Paul relies for illustration of Christ's redemptive work is drawn from Greek usage. Thus "ye are no your own, for yet were bought with a price" (1 Cor. vi. 19, 20); "Ye were bought with a price; become not bondservants of men" (1 Cor. vii. 23).

By this method of sacral manumission, a slave paid to the temple officials the price his owner had already agreed to accept. The master having received the price, sold him to the temple deity, not for the purpose of serving his new fictitious purchaser, but for manumission. Henceforth he was a free man, the god being his protector against any who might dispute his enfranchisement.

In his recent work, *Light from the Ancient East* (p. 326 ff.), Professor Deissmann supplies details of this mode from the inscriptions and papyri, which are so numerous that "the form must have been extremely well known." He gives a typical example.

“Date. ‘N.N. sold to the Pythian Apollo, a male slave named X.Y. at a price of . . . minæ, for freedom (or on condition that he shall be free, etc.).’”

He shows convincingly that many hitherto unsuspected passages have a background of contemporary law and usage, for “in numerous records of manumission the nature of the newly obtained liberty is illustrated by the enfranchised person’s being expressly allowed henceforth to ‘do the things he will.’ St. Paul, therefore, is referring to a relapse into servitude when he points to the possible result of the conflict between flesh and spirit with these words: ‘that ye may not do the things that ye would’ (Gal. v. 17). Numerous manumissions, again, expressly forbid, sometimes under heavy penalties, that the enfranchised slave shall ever ‘*be made a slave*’ again. We now see how wicked is the intention of those ‘who . . . spy out our liberty, which we have in Christ Jesus, that they might bring us into bondage’ (Gal. ii. 4). And we understand warnings like these in the letters: ‘For freedom did Christ set us free; stand fast therefore, and be not entangled in the yoke of bondage’ (Gal. v. 1). And the still more moving exhortation: ‘Ye were bought

with a price, become not slaves of men' ” (1 Cor. xii. 23).

These are but a few of the examples that might be quoted, for “all that St. Paul and St. John have to say about *freedom* has this background; but, most important of all, the frequently misunderstood conception of *redemption*, i.e. *buying off*, and hence *deliverance* (from sin, the law, etc.), belongs, as St. Chrysostom knew and pointed out, to the same complex of ideas.”¹

Thus contemporary law became a possible vehicle of Divine truth, arguments and allusions were rendered effective and the apostle was thereby materially aided to expound his system of doctrine, embodying terms and conceptions appealing to the vast majority of his readers: for there are, perhaps, few important aspects of the religious experience which do not find expression in his epistles by its means. It is significant that in later days Theology and Moral Philosophy “found in Roman Law not only a vehicle of expression, but a nidus in which some of their profoundest inquiries were nourished into maturity.”²

¹ *Light from the Ancient East*, p. 331. The conception is clearly seen in St. John's metaphor, “If the Son shall make you free, ye shall be free indeed ” (John viii. 36).

² Maine, *Ancient Law*, p. 340.

It is needful to observe, apart from the possibility of adapting prevailing conceptions of jurisprudence so as to give expression to spiritual truths, an atmosphere was created by Roman rule and legislation, in which there floated certain ideas, all tending to render the pagan mind receptive of, and favourable to, the novel truths proclaimed.

Roman power and Roman law were preparing the civilised world as a fruitful soil wherein the seed of Pauline theology might be cast. For it was the deliberate policy of Rome to familiarize conquered nations with her legal conceptions and institutions. This she effectively accomplished by means of her colonies,¹ whence her influence was diffused amongst the conquered peoples. The administration of Roman Law, in vanquished provinces, was generally so wisely and impartially carried on, that the natives were at length won over to a union, which ultimately produced an esteem for her law and institutions. Rome infected the con-

¹ The Roman 'coloniae' had little in common with our modern colonies. Cicero and Livy refer to them as 'præsidia,' 'speculæ.' They were eminently fitted to achieve the purpose of the conquerors. Held by Roman citizen-soldiers, they familiarized the conquered peoples with Roman administrative ideas, and, in a word, were miniatures of the central power at Rome.

quered states with a passion for the study of her national intellectual pursuit. "Thus," Maine says, "it came to pass that the inhabitants of distant provinces came to rival the Italians themselves as masters of the national jurisprudence."

Well-nigh fruitless would it have been to proclaim the universal brotherhood, by which saints on earth were to live as members of a heavenly commonwealth, wherein "Greek and Jew, circumcision and uncircumcision, Barbarian, Scythian, bondman, freeman" (Col. iii. 2) were not differentiated, till Rome had first educated the nations in the conception of political brotherhood, breaking down the barriers of national animosity and exclusiveness, thus leading all to realise a common citizenship¹ in a universal empire.

¹ During the early history of the Republic those alone who dwelt in Rome were citizens, all others were aliens ('peregrini'). Extension of territory and the Social War (B.C. 90) brought about the recognition of a third class, 'Latini,' with a modified grant of citizenship, and the franchise was extended to all citizens of Italian federated states, and even to Roman subjects who dwelt outside Italy. Gradually restrictions became less and less rigorous, till in the reign of Claudius (ob. A.D. 54) the franchise was largely a matter of price. Finally Caracalla, as a fiscal expedient, granted the privilege to all freemen of the Empire, "In orbe Romano qui sunt ex constitutione imperatoris Antonini cives Romani effecti sunt" (*Digest*, i. 5, 17).

In the early days of the Republic, admission to the rights of Roman citizenship was as strictly circumscribed as the privileges of Judaism, but extension of franchise proceeded apace under the Emperors, whose revenues were largely supplemented by the fees¹ exacted for the franchise, till at length the citizenship was extended to all free subjects of the Empire. There was growing up concurrently as the result of apostolic labour,² the Christian conception of a church, not as a Kingdom subjugating the world, but as a commonwealth gradually extending its citizenship to other lands and races. That conception is thus expressed by St. Paul, "ye were at that time separate from Christ, alienated from the commonwealth of Israel, . . . ye are no longer strangers and aliens, but ye are fellow citizens with the saints and of the household of God" (Eph. ii. 12, 19).

Roman policy and Christianity were thus working on converging lines—though with

¹ Ἐγὼ πολλοῦ κεφαλαίου τὴν πολιτείαν ταύτην ἐκτησάμην (Acts xxii. 28).

² Even at the time of St. Paul's death, "Christianity had already entered every province bordering on the Mediterranean from Syria to Italy, with the exception of Thrace, and had penetrated into the interior of Asia Minor as far as Galatia."—Hastings, *Ency. Relig. and Ethics*, p. 628, vol. i.

different objects in view, for "one of the most remarkable sides of the history of Rome is the growth of ideas which found their realisation and completion in Christianity. Universal citizenship, universal equality of rights, universal religion, a universal church, all were ideas which the Empire was slowly working, but which it could not realise till it merged itself in Christianity." ¹

As we look back across the centuries and observe the frequent tokens of the Divine approbation which rested upon the Apostolic labours; the amazing results which followed them; together with the destruction of Jerusalem, involving, as it did, the breaking up of the Jewish community—the one race which stood in solid opposition to Christianity—we can but say, God has placed his seal of approval upon the efforts of the Apostle, and vindicated, not only the methods adopted by him but also the catholic interpretation of the Gospel, of which St. Paul was the most renowned and successful exponent.

¹ Ramsay, *Expositor*, Dec. 1889, p. 402.

CHAPTER IV

Two extreme views regarding St. Paul's employment of legal conceptions—Brief sketch of institutions of Roman Law—The Twelve Tables—Conservatism of the unenlightened community—Expansion of old strict law becomes imperative—The agency of the Jurisconsults—The Prætor, as keeper of the Roman conscience—Problems of Western theology congenial to Roman mind—Contrast between Greek and Latin theology—The family, the unit of society—Its artificial extension—Reason for importance attaching to adoption—Roman and Greek wills—Death eliminated from conception of inheritance—Contrast between Roman testament and its modern representative—Slavery involved no rights—Law of Nature and law of nations—*A priori* speculations of Stoics and theories of Jurisconsults.

THERE is no question as to St. Paul's obligation to the Imperial rule and administration, increasingly manifested as it is by the course of modern investigation, but the extent of his debt to principles and institutions of contemporary law as a means of expounding doctrine is a subject of discussion. Some have insisted that his references are only of a vague nature, and consequently appeal to them for exegetical purposes must be barren of result. It is

needful, however, to recollect that these references were employed in an age when—for various weighty reasons, as we shall presently see—men attached the first importance to a knowledge of their renowned jurisprudence. Accordingly such allusions, far from conveying an indeterminate signification, spoke forcefully and with an import self-evident to his readers. Otherwise we should be compelled to believe that the Apostle's keen perception was at fault in employing metaphors unfitted to facilitate comprehension of his teaching.

Some writers have gone to the other extreme; Halmel,¹ for instance, seeks to prove that St. Paul was familiar even with the profoundest technicalities of Roman Law. No attempt is made in these chapters to maintain this extreme and, as we believe, mistaken view; nor is it asserted that the more careful examination of these references will unfold new truths, but it is unquestionable that passages of the Pauline Epistles, obscure to many readers, will impart a clearer signification and reveal fresh aspects of truth, if examined in the light of Roman Law, or its Hellenistic form.

¹ Dr. Anton von Halmel, *Über römisches Recht im Galaterbrief*.

FOUNDATION OF ROMAN LAW 59

As an aid to those readers who may have no acquaintance with it, a brief sketch is introduced and reference made, with somewhat greater fulness, to the legal institutions reflected in St. Paul's Epistles.

The foundation of Roman Law rests in large measure upon the Twelve Tables (see p. 27), which, regarded as semi-sacred, supplied for long a code of legal principles regulating the life of the citizen. The law of the Twelve Tables was strictly limited in its application: except as a special favour, no one outside the pale of Roman citizenship was permitted to avail himself of the benefits of Roman Law; for the citizen, like the Jew, was most zealous in the maintenance of his exclusive privileges. Had this exclusive appropriation been maintained, Roman Law might have become as great a hindrance to the onward march of the Gospel as subsequently it became an auxiliary, after its extension to other nations. Notwithstanding the conservatism of the unenlightened community, which dreads change, the expansion of the Empire rendered it imperative that Roman Law should be modified both as to its principles and their geographical application.

60 WORK OF THE JURISCONSULTS

To follow the course of its development and extension, till it attained its maximum scope, would carry us far beyond the apostolic age. It will not, however, be out of place to refer to the methods whereby the ancient Roman Law, the pride and the exclusive possession of the citizen, the envy of the non-citizen, became, either in its pure or Hellenistic form, of universal application and practically coextensive with the civilised world, a result involving momentous consequences, in connection with the propagation of Christianity throughout the Roman Empire.

Expansion came about in the following manner. First the Jurisconsults¹—who may be compared to our professors of law, but with no place on the Bench—stated their opinions to their students, not only on actual cases as they were submitted by clients for their opinion, or were decided by the magistrates in Court, but also on imaginary cases suggested by themselves or by their pupils, which might appear to

¹ Cicero informs us of the high esteem in which their profession was held, and students flocked in crowds to receive instruction from them. He himself was taught by the renowned Q. Mucius. Pupils passed through a regular course of legal study, referred to in the Digest in the words "instituire, audire, instruere."

have some connection with the former. These opinions (*sententiæ*) on both real and hypothetical cases, carefully recorded by themselves or sometimes by their students, so increased as to form a huge legal literature, and formed the major portion of that great body of Civil Law which has been invaluable in the formation of European systems of law. The older Jurisconsults professed merely to explain the Twelve Tables, but they contrived by liberal interpretation to read into that ancient code much more than the text contained. Thus they enlarged its scope without offending the susceptibility of men averse to change. Amongst later jurisconsults were some of surpassing genius, such as Ulpian, Julian, and Papinian, and it is well-nigh impossible to estimate at its proper worth the debt owed to them by the majority of civilised nations; truly they are "the great lights of jurisprudence for all time," the fruit of their work remains with us, but it is unsurpassed either in form or matter.

Again, a further modification of the old strict law was later achieved by the action of the Prætor, who proceeded on different lines. The amelioration of the old iron-bound system, effected by him, was marked

by open departure from the older form of Roman Law. One of his functions was to provide opportunities for securing justice in cases where non-citizens were involved. In the performance of this duty he had considerable discretion—although within certain limits—and could decide as to when the strict provisions of Roman Law should give way to considerations of *jus gentium* and equity (*naturalis æquitas*). He was permitted to go even further and to found his decision for altering the law on the basis of the common weal (*publica utilitas*). Thus in giving relief against the hardship of the old law, he may be regarded as the “keeper of the conscience”¹ of the Roman people. In this task he was aided in no small degree by the attention drawn to the Law of Nature (*jus naturale*) by the Stoics.² Apart from the jurisconsults and the prætors a good deal also was done by legislation, which, during the Republic, was enacted by the assembly of the Roman

¹ The Roman innate sense of justice and reverence for law is exhibited in the permission for aliens to pretend citizenship, in certain cases of patent hardship, and so find a legal remedy. Thus (Gaius, iv. 37): “Item civitas Romana peregrino fingitur, si eo nomine agat aut eum eo agatur, quo nomine nostris legibus actio constituta est, si modo justum sit eam actionem etiam ad peregrinum extendi.”

² See *post*, p 77.

people. This source of law was gradually superseded during the early period of the Empire by the ordinances of the Senate, from which, or later from the Emperor, as representing the people, there proceeded such enactments as that referred to in Luke ii. 1: "In those days, there went out a decree from Cæsar Augustus, that all the world should be enrolled." At length the ordinances of the Senate, termed "*senatus consulta*," were wholly replaced by Imperial constitutions, proceeding from the Emperor alone, as supreme lawgiver. Our knowledge of the Roman Law, as it existed in the time of St. Paul, is largely derived from the *Institutes* of Gaius (his full name is unknown, Gaius being probably his prænomen), a MS. of which was discovered in 1816 by Niebuhr at Verona. The lateness of this discovery explains the paucity of references to the legal features of St. Paul's epistles, by writers prior to this date, as the *Institutes* of Justinian, with which they were alone familiar, did not represent the law as it stood in apostolic days. Numerous changes were made in the Roman Law by successive Emperors, forms and institutions in force in the age of St. Paul becoming obsolete. When Justinian assumed the

purple (527), Roman Law had long passed the climax of its development, and within six years the vast accumulation of legal literature, proceeding from the sources we have specified, was edited and published by him with numerous amendments, adapting the law to his own time, in his immortal works, the *Code*, the *Institutes* and *Digest*. The whole of the common law (so called 'jus'), collected into fifty books, is known as the *Digest* or *Pandects*, a work which has influenced in greater or lesser degree the legal systems of most civilised nations.¹ The part played by Roman Law in connection with theological discussion during the centuries succeeding the time of St. Paul is important. "Almost everybody who has knowledge enough of Roman law to appreciate the Roman penal system, the Roman theory of the obligations established by Contract or Delict, the Roman view of Debts, and the modes of incurring, extinguishing, and transmitting them . . . may be trusted to say whence arose the frame of mind to which the problems of Western theology proved so congenial, whence came the phraseology in

¹ Among others, legal codes framed by France, Germany, Austria, Italy, and Spain are all based, more or less, on Roman Law.

which these problems were stated, and whence the description of reasoning employed in their solution.”¹

Therefore it is not strange, in view of what has just been stated, that subsequently the Western Church assimilated the Pauline theology with readiness, especially such aspects of it as were cast in a forensic mould.² The contrast between the Greek and Latin Churches gives point to this statement. The theology of the Greek Churches was largely tintured by Greek Philosophy, Eastern mysticism, and Judaism, for the Oriental mind revelled in this wealth of thought from divers quarters, and there resulted a theology in which metaphysical aspects were its prominent features. It is equally true to say that the theology of the Latin Church was coloured by the legal attitude of mind which characterised the West. While the speculative mind of the Greek was chiefly engaged with such doctrinal questions as the Godhead and the nature of Christ, which it continued “defining with still more exquisite subtlety,” the practical

¹ Maine, *Ancient Law*, p. 358.

² Numerous forensic terms are employed in the Pauline epistles, e.g. δικαιῶν, ‘to declare righteous’; δικαίωσις, ‘the act of acquittal’; κατάκριμα, ‘sentence of condemnation’; ἐγκαλεῖν, ‘to indict’ or ‘summon to a court for trial.’

bent of the Western mind was almost exclusively occupied with such conceptions as justification, moral obligation, transmitted sin or liability, and satisfaction or atonement. That was a result to be anticipated in the case of men occupied solely with the study of jurisprudence, in which alone their intellectual activities found scope. In this connection, Maine observes truly, "It was impossible that they should not select from the questions indicated by the Christian records, those which had some affinity with the order of speculations to which they were accustomed, and that their manner of dealing with them should not borrow something from their forensic habits." ¹

The Family.—According to Roman legal conceptions, the family—not the individual—formed the unit of society, and was composed of those related exclusively through males.² Accordingly, the family embraced the eldest male ancestor—the 'Paterfamilias'—as the head, his wife and all their male descendants, together with their wives, unmarried daughters, and likewise adopted

¹ Maine, *Ancient Law*, p. 358.

² The modern and natural conception of kinship is based on descent from the marriage of a common pair. Those related thus—"cognati"—are to be distinguished from the "agnati," related by the artificial tie described above.

ANCIENT HORROR OF INTESTACY 67

persons. The 'Paterfamilias' possessed despotic powers—'Patria potestas'—over all the members, and in many ways he resembled the head of the patriarchal family of the Old Testament. He was the household priest, and maintained the family worship. The Roman cultus was mainly the worship of ancestors, whose spirits, as protecting divinities, were supposed to haunt the hearth and home. It was the filial duty of descendants to supply them with food, which was sacrificed to these spirits. If the 'paterfamilias' died childless, there was no person to perform this most necessary duty, for the heir was reckoned to be the only one who could fulfil the office. 'To die childless was to leave the perturbed spirit of the father without rest or food; from the natural protector of his house he became a malignant ghoul. The records of ancient law show many traces of the absolute horror with which the fathers of our race contemplated their disconsolate state, if they died without children and, by consequence, without heirs.'¹ This fact explains in large measure the important place assigned to adoption, for hereby a remedy could be found for the catastrophe involved in childlessness.

¹ Hunter, *Introduction to Roman Law*, p. 151.

Adoption.—This institution occupies a very insignificant place in modern European life, as supreme importance attaches to relationship by blood; but adoption was a most important factor in the social and religious life of the age with which we are here concerned, and involved weighty consequences. Roman sentiment and Roman Law regarded an adopted son as standing in the identical position of a son born in marriage. The truth of this statement is revealed by the fact that, during the whole succession of the Cæsars, there is no instance of a father being succeeded by any other than an adopted son. So completely was an adopted person identified with his new family, that the rules prohibiting intermarriage between certain degrees of blood relationship, applied with equal force to him. Accordingly Octavia, the daughter of Claudius, was not permitted to marry Nero, who had been adopted by her father, till she was emancipated from the paternal authority. Further consequences were involved; thus the right to be heir of the adopting father was conferred from the moment of the ceremony, a right as valid as in the case of a son by birth. If he was the only son, whether by birth or adoption, he

became sole heir ; but if there were other sons, he inherited as joint-heir with them. All agnatic relationships with his previous family were dead and completely severed ; he acquired a new family, and in the eye of the law lost his former ' caput,' involving his recognition as another man, a new being born into the world. Accordingly, he relinquished his old name, assuming the ' nomen ' of his new father, and, renouncing his former household deities, adopted the worship of his new family.

The common method of transferring a person from one family to another took place in the following manner. In the presence of five witnesses the person about to be adopted was sold by his paterfamilias three times. The reason being that the Twelve Tables enacted that if a father sold his son thrice he lost his paternal right (' patria potestas '). A fictitious lawsuit then followed, whereby the person to be transferred was surrendered to the adopting father. But the final stages of an adoption and of a sale into bondage were very similar, hence the necessity for the presence of witnesses to testify as to the real intention of the ceremony. Otherwise, in the absence of anything corresponding to

our modern legal deeds, misconception might ensue; after the death of the adopting father, malice or envy might suggest that he who had entered into an inheritance had no legal right to possess it, being only a bondsman. In such a case the adopted son would seek judicial aid. In open court he would declare 'after the ceremony with the scales and brass, the deceased claimed me by the name of son. From that time forward he treated me as a member of his family. I called him 'father' and he allowed it. . . . I sat at his table where the slaves never sat; he told me the inheritance was mine.' But the law required corroborative evidence. One of the five witnesses was called. 'I was present,' he says, 'at the ceremony. It was I who held the scales and struck them with the ingot of brass. It was an adoption. I heard the words of vindication, and I say this person was claimed by the deceased not as a slave, but as a son.'¹ In accordance with the testimony of the witness a judicial decision followed, confirming the right of the adopted son to the inheritance.

Heirship and inheritance.—The notion expressed by the maxim of English law, "nemo est heres viventis"—no one is the heir of a

¹ Ball, *Contemporary Review*, Aug. 1891.

living person--had no place in the early Roman Law, for at the moment of birth—or adoption—a son became the heir of his father. In our day the person who will inherit by the terms of a man's will has no immediate interest in the property, which may at some future time be his: the heir of St. Paul's time was interested in the property of the 'Paterfamilias,' and reckoned to have been previously proprietor (*suus heres*), even during the lifetime of the father. Further, an 'indissoluble unity' was considered to exist between the ancestor and his heir, for the testator was conceived 'to live on in his heir.' In the eye of law he survived, for 'the elimination, so to speak, of the fact of death' was a principle of pure Roman jurisprudence. It has been suggested that this fact explains the bold expression, 'heirs of God,' and it is only our familiarity with the words that disguises the remarkable nature of a phrase implying succession to the Eternal Father. St. Paul makes frequent and effective use of the idea of spiritual inheritance, *e.g.* "heirs of God and joint heirs with Christ" (Rom. viii. 17). "If a son, then an heir through God" (Gal. iv. 7).

Guardianship.—This was a method for continuing artificially the *Patria potestas*

over an heir whose *Paterfamilias* was dead, but who was not of sufficient age to protect his person or deal with his inheritance. The heir, though he might be the possessor of great wealth, found himself in a position little better than a slave, so long as subject to tutelage ; but, once the guardianship determined, the inheritance was entirely under his control. Accordingly, St. Paul writes, " So long as the heir is a child, he differeth nothing from a bond-servant, though he is lord of all ; but is under guardians and stewards until the time appointed of the father " (Gal. iv. 1 and 2).

Testaments.—The ancient Roman will presented a remarkable contrast to its modern representative, since its chief purpose was not so much to transfer property, as to appoint an heir who might represent the personality of his ancestor. This purpose was, as we have already seen, a vital consideration of the time. Further, the ancient will in Rome was public, irrevocable, and took immediate effect ; in a word, it resembled a modern conveyance of property, becoming operative in the moment of its completion. Subsequently another form—the Prætorian will—came into use ; in it the features which characterised the older form

disappeared, it became a private instrument revocable by a later will, and taking effect only after the testator's death.

But while the ancient form fell into desuetude in Rome, its peculiar features continued—according to Ramsay—in wills made in Greece and South Galatia. This distinction has been employed to reinforce the arguments in support of the South Galatian theory (see Chap. X.).

Slavery.—While not a few slaves in the time of St. Paul owed their condition to capture in war or the fact that they were born in slavery, yet by far the greater number were imported to Rome by agents who scoured the nearer Asiatic countries, Spain, Gaul, and Africa to maintain the supply. Their numbers, on the most moderate estimate, amounted to one-half the population of Rome. Regarded as a mere ‘animated instrument,’ a useful chattel,¹ legal writers classed the slave with animals and merchandise. He was frequently bequeathed by will, or a master might oblige a friend by the loan of a slave, as we might

¹ While St. Paul did not directly insist on the freeing of the slave as a Christian duty, the abolition of slavery was involved in his counsel to Philemon, to receive back the fugitive slave Onesimus, not as ‘a slave, but more than a slave, a brother beloved.’

lend a horse ; and all his earnings belonged to his master. A modern servant gives his services for wages, he is free to relinquish his work at the end of his term of service, and is possessed of rights corresponding to those of his master. The slave had no such rights, nor did later legislation, for the purpose of preventing cruelty to the slave confer any legal rights ; it was merely an effort to restrain cruel masters, akin to the object of a modern society for the prevention of cruelty to animals. Notwithstanding his servile condition, his position compared favourably with that of the modern slave before emancipation, for he was frequently in education and attainments the equal of his master, and entrusted with duties, such as the 'schoolmaster' (A.V.)¹ which demanded the fullest confidence ; and instances of friendship between master and slave were not infrequent. A New Testament example is furnished in the case of the Roman centurion whose slave was healed by Christ (Luke vii. 2).

¹ His duty was to accompany the child to and from school, to give moral instruction, and 'keep him out of mischief.' Tindale's rendering of the original (*παιδαγωγός*) as 'scholemaster' conveys a wrong impression, but the original has no corresponding word in English. R.V. translates 'tutor.'

St. Paul frequently employed the term ‘ slave ’ to represent the Christian service. “ If I were still pleasing men, I should not be the slave of Christ ” (Gal. i. 10) ; “ Epaphras, a slave of Christ Jesus ” (Col. iv. 12). To the great majority of those to whom his Epistles were addressed, the term ‘ slave ’ (δοῦλος) would not suggest the idea of ‘ servant ’ in the sense noted above. Such as were converts from the Græco-Roman world would undoubtedly regard the expression as implying ‘ slave.’ Unfortunately, in the Authorised and Revised Versions, ‘ servant ’ is employed as a synonym for the Pauline expression ‘ slave.’ In one passage the Revisers have ventured to translate the word rendered in the Authorised Version as ‘ servant ’ by ‘ bond-servant,’ *i.e.* slave, “ for he that was called in the Lord, being a bondservant, is the Lord’s freedman ” (1 Cor. vii. 22). By substituting ‘ servant ’ for ‘ slave,’ we lose just that aspect of his life in which St. Paul gloried, and which he would keep before the minds of men. He claims no rights against the Master who had bought him with a price ; nor did he regard his high office, even for a moment, as an honourable post in his Master’s kingdom, which he was free

to renounce at his pleasure; for 'in this abandonment of all human liberty, at the feet of the Redeemer—in this utter surrender of the right to his intelligence, his affections, the employment of his time, and his property, his movements from place to place, except as his Master might command, St. Paul found the true dignity and the true happiness of his being as a man.'¹

The Law of Nature.—Allusion has been made above to the assistance rendered by the Prætor, in his task of simplifying and extending the application of the old law, with its numerous restrictions and intricacies. At first the liberal policy of the Prætor was possibly despised by the Roman citizen. He would probably have been content to permit the 'foreigner and alien' to resort to the tribunal of the Prætor Peregrinus (who presided over the Court dealing with cases in which, through commerce, etc., foreigners were involved), just as the Jew was prepared to allow 'aliens to the commonwealth of Israel' the enjoyment of the benefits of Judaism to a limited extent, so long as they confined themselves to the portion of the Temple—the Gentiles' Court—assigned for their use. But in-

¹ Liddon, *Sermon on Gal. i. 10.*

creasing acquaintance with the simpler Prætorian system convinced opponents of its superiority, and finally won their admiration. This change of attitude was due not only to its recognised merits, but perhaps more largely to the influence of the philosophy of the Stoics. They taught that there was a code of Nature prescribing to every man in every nation the things which are right, prohibiting likewise what was wrong; in a word, it was a 'lex scripta in cordibus,' a law written in the heart. Now the further the Romans pushed their conquests, the more plainly it was seen that amongst all the subjugated peoples, however much their local customs might differ, there was a certain substratum of rules and principles common not only to them, but to Rome herself. The Stoics seized upon this 'notion of a law common to the Romans with other nations and with all mankind.' They termed it the 'jus naturale.' Study of this subject suggested to some of the Roman legal professors that the law administered by the Prætor—and called the 'jus gentium,' the law of nations—was to be identified with 'the law of Nature' of the Stoics. Thus the *a priori* speculations of the philosophers and the *a posteriori* inferences of the lawyers were conceived to have

arrived at a common result. The lost code of nature was held to have been rediscovered and restored from the Golden Age. This shallow identification satisfied the Roman mind and stimulated the growing popularity of the Prætorian law which, as we have seen, largely superseded the old Quiritary law.

In this connection it may be added many have imagined that St. Paul was indebted to Stoicism for not a few aspects of his teaching. Undoubtedly there is a remarkable correspondence, especially with the ethics of Seneca, so that some have argued that this Roman philosopher was acquainted with St. Paul and with the New Testament : ¹ Jerome, indeed, gives him a place in his list of Christian authors ; but such assumptions have been disproved by Bishop Lightfoot, in his *Philippians*. The true reason for the resemblance lies in the fact that Jewish thought and Stoicism had much in common, and it is exceedingly probable that the genesis of the latter is to be found in Judaism. The agreement was remarkable :

¹ This is improbable ; but Ramsay sees, in the harsh treatment meted out to St. Paul after the year 64, the removal of a former ameliorating influence, which he traces to the policy of Seneca, who was deprived of office in 62. *Vide St. Paul the Traveller, etc.*, p. 355.

belief in one great supreme Being; the impossibility of representing the Divine nature by means of things material; the ultimate extinction of the heathen deities and the existence of Providence (*πρόνοια*). Such were some of the conceptions common to Jew and Stoic. The correspondences are so numerous and striking that they cannot be regarded as mere coincidences in thought. An example is afforded by St. Paul's use of the term 'conscience' (*συνείδησις*). Apart from his use of the word, it does not occur in the New Testament except in the Epistle to the Hebrews and 1 Peter; and since it was not employed in the Old Testament, the question naturally arises, what origin, other than Stoicism, can be assigned for a term of frequent application by the Apostle, and yet one foreign to Hebrew thought? That he should have been familiar with the doctrines of Stoicism is not strange, as he must have had many opportunities, during his early manhood, of listening to the daily disputations of teachers from the celebrated Tarsian school, who invaded the market-place and streets of his native city in their zeal for the propagation of their doctrines.

It has been suggested with much proba-

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bility that St. Paul has in his mind the 'jus naturale' as he indicts Gentile nations (Rom. ii.); for Theophilus—who wrote the early paraphrase of the *Institutes* of Justinian—informs us that by it, thefts, murder, adultery and such crimes were prohibited. Thus it fulfilled for Gentile nations the purpose accomplished by the Decalogue for the Jewish people.

CHAPTER V

The most prominent feature of St. Paul's theology—The doctrine of Justification new and yet not new—The term, 'My gospel'—Justification involves subjective spiritual processes—Problem for St. Paul to translate these into current phraseology—Adoption, in English sense, misleading—Relationship resulting from adoption equivalent to tie of blood—The Fatherhood of God a lost conception—Roman hatred of spirit of devotion—St. Paul's pre-Christian experience enriched his sense of sonship—The revelation of the purpose of the Law—Fault found with the Apostle's method for expounding sonship, because not natural—Comparison with Christ's exposition of the idea.

DURING the period of his retirement after his conversion, St. Paul, by profound investigation, had thought out under Divine direction the relations and issues of the revelation vouchsafed him by his Risen Lord. The doctrine of Justification by Faith,¹ the most prominent feature of his

¹ The interpretation of the expression 'to justify' (*δικαιῶν*) occupies an important place in the distinction drawn between Eastern and Western theology; according to the former it generally signified to 'count or declare just'; but the Latin Church regarded the corresponding expression ('*justificare*') as equivalent to 'make just,' thus in effect including 'sanctification' as involved in the term.

theology, was one of the fruits of this period. The doctrine was new, and yet again was not new; for although in its 'technical theological sense,' as employed in the New Testament, it is not to be discovered in the records of patriarchal times, yet the Apostle brings us back to that germinal conception which was as old as Abraham himself. For ages the part played by faith in the life of the Patriarch had been concealed and obscured by the Law till its true import was revealed to St. Paul, whereby the whole current of his life was reversed.

No reader of what he termed 'my gospel'¹ can fail to observe the modes he employs to state the spiritual issues of justification by faith. Thus, "Ye are all sons of God through faith in Christ Jesus" (Gal. iii. 26); "God sent forth His Son . . . that we might receive the adoption of sons. And because ye are sons, God sent

The Pauline use of the term signifies, not the character imparted to the justified man, but the 'footing' on which one may stand to another. On this distinction depends in large measure the important place assigned to the conception of 'grace' in the theology of the West.

¹ Thrice he employs the phrase, 'according to my gospel' (*κατὰ τὸ εὐαγγέλιόν μου*),—his purpose was, not to suggest it as 'antagonistic to the common faith of the Church, but as complementary to and explanatory of it.'—Sanday and Headlam, *Romans*, p. 433.

forth the Spirit of His Son into our hearts, crying, Abba, Father" (Gal. iv. 4-6); and again, "Ye received not the spirit of bondage again unto fear, but ye received the spirit of adoption, whereby we cry, Abba, Father,"¹ (Rom. viii. 15). Some have disparaged the doctrine as tending to antinomianism; but those who do so, forget that it implies more than a mere claim to an interest in the atonement on the ground of faith. It involves subjective spiritual processes, verified by his own experience, and out of that experience he speaks. He anticipated the objection of those who might disparage the doctrine, for he realised that men might rest content with its merely objective aspect, and be satisfied with a claim to release from condemnation through the vicarious sacrifice of Christ. Therefore he introduces the figure of adoption to reveal that subjective side of justification, in the absence of which the atonement is shorn of its power, as a

¹ It is noteworthy that 'abba' (the 'emphatic' Aramaic word for 'father') is only employed in the N.T. in 'direct address' to God. Such was Christ's use; here it is an utterance prompted by the Holy Spirit and directed to the Heavenly Father. The double form probably originated with Greek-speaking Jews, but it became a hallowed expression by reason of Christ's example in Gethsemane.

dynamic for a life of holiness. So essential was this conception for his readers, and so potent and uplifting had he found it in his own spiritual experience, that his ardent nature was on fire to state the true and worthy relationship to God in such terms as to find a ready access to their minds. The relationship involved not only the filial spirit, but a divine life, divine because kindred to God's own nature and communicated by Him. Thus St. John writes, "Behold, what manner of love the Father hath bestowed on us, that we should be called the sons of God: and such we are" (1 John iii. 1, R.V.). But how convey an adequate notion to others, how translate the conception into current phraseology? That was the problem for St. Paul, and accordingly he sought some analogy to facilitate his task. He turned to the Roman Law and appropriated the legal term 'adoption' (*υιοθεσια*),¹ for to his mind, and that of his readers, the status resulting from adoption, far from implying inferiority, was identical with sonship originating in birth,² "Ye received

¹ The term 'adoption' is employed by St. Paul five times in his Epistles. Once (Rom. ix. 4) it is applied to the unique position of Israel as a nation; elsewhere it refers to the Christian's peculiar privileges.

² The apostle does not deny, by the use of this illustra-

not the spirit of bondage again to fear; but ye received the spirit of adoption, whereby we cry, Abba, Father" (Rom. viii. 15). Gifford's explanation, that he coined the word expressly for his purpose, is improbable in view of the very numerous inscriptions incorporating the term; but, whatever its origin, as a metaphor it conveyed to minds familiar with the Roman Law a wealth of meaning which to-day is hidden from many readers of St. Paul. English readers, unacquainted with Roman Law, might be disposed to question the aptness of the illustration; the reason being, they assume the Pauline reference is to an adoption similar to, or identical with, our custom of adoption. If he had employed this illustration in the English sense, it would have been a most unhappy analogy, and for the following reason: with

tion, that all men may be designated 'sons of God' in a restricted sense; *e.g.* he quotes with approval to a heathen audience, τοῦ γὰρ καὶ γένος ἐσμὲν (Acts xvii. 28), yet he never fails to make clear that the regenerate man is a son in a far more exalted sense than he who might be so termed, because created by God. Such are 'sons of God,' but being under the dominion of sin, of each it might be said truly, 'he differeth nothing from a slave' (Gal. iv. 1). St. Paul restricts the term υἱός to those who as 'sons of God' through faith in Christ, have peculiar spiritual privileges. Compare with this his use of γένος in the former quotation.

us a man receives a child into his house and gives him a home and education; but this relationship is not founded on a law. The arrangement—and it is nothing more—may be broken at any moment; the legitimate hopes, raised high by temporary kindness, may be dashed to the ground, and the child returned to his former life and surroundings. Public opinion may have some weight, but, certain minor legal rights excepted, English Law, generally speaking, does not recognise ‘adoption’ as involving any right on the part of the child. But the Pauline analogy was founded on one of the most cherished of the Roman institutions,¹ fraught with most important and widely-reaching results, both to the adopted person and the father who had received him into his family. A bond was formed which not even death could sever. The adopter could not, even if he would, evade the new relationship, established by the ceremony of adoption in the presence of the appointed witnesses. The adopted person obtained a right to the family inheritance; and so close was the new relationship conceived to be, that the tie of blood was no stronger. A

¹ For the importance attached to this institution, see p. 67.

proof of this may be seen in the fact that the rules prohibiting marriage between blood relations operated equally to preclude marriage where the relationship originated in adoption.¹ An English adoption, with its elements of capriciousness, its liability to sudden termination, its almost entire immunity from legal sanction of any kind, would have been a most unfortunate illustration, since the object of the Apostle was to awaken men to the full realisation of their glorious privileges, to enable them to comprehend the certainty, the closeness and permanence of that bond which united God to them as their Father, and them to God as His sons; to assure his readers that the covenant which God makes with every believer in Christ Jesus is not a capricious undertaking, liable to be broken at any moment, but a pledge to be observed by Him in all its fulness, because grounded on the Eternal Truth and Justice. This deep spiritual concept was amongst the most difficult of statement and translation into current thought. Some idea of the difficulty

¹ "Sed si qua per adoptionem soror mihi esse cœperit, quamdiu quidem constat adoptio, sane inter me et eam nuptiæ non possunt consistere, cum vero per emancipationem adoptio dissoluta sit; potero eam uxorem ducere."—Gaius, i. 61.

may be formed by the recollection of the fact that 'the average Christian' of the present day, with all the acknowledged aids to the right conception of the filial spirit and its blessed consequences set forth by St. Paul, finds it no shallow task to grasp his meaning.

But in the age when the Apostle wrote, not only did the same difficulty exist, but men had lost the idea of the Fatherhood of God. The pagan conception of God varied; some regarded Him as no better, from the moral standpoint, than themselves; others, 'as a sternly pure being, extreme to mark what was done amiss, who might give a happier lot in another world in exchange for ascetic self-torture in this, or for rigid observance of a rule more exact than that which He had Himself imposed.' During the times of his ignorance, man 'had learned to travestie and caricature to himself the nature and mind of God in a thousand ways. The more unlike to God he became, so much the more he thought wickedly that God was even such an one as himself. To the minds of the heathen in general, God was no better than men, and would condemn Himself if He condemned them . . . and the utmost that could be done was to en-

deavour to keep Him in good temper with fair words and frequent offerings.' ¹

To men with such impoverished and unworthy notions as these, St. Paul endeavoured to bring the noble conception of sonship with the Heavenly Father, and none had greater need than those that dwelt within the confines of the Latin world. Their religion, the lineal descendant of the cult of ancient Latium, was, as Renan well says, a pitiful thing, presenting such a conception of Deity that one more false is nowhere to be found,—a conception that rose no higher than the State, which was the true god of Rome. If prayer was offered, there was no necessity for any moral qualification, for the Deity was compelled, not by the fitness of the applicant, but by the fact that all due forms had been carefully observed. Nay more, if feelings of devotion should happen to be aroused, such must be immediately suppressed, for that would be a defect in a religion which placed 'calm, order, and regularity' before all else. Men were to yield what was due to the gods, but anything more than this exceeded what was strictly due and became 'superstitio,'—a thought to the Roman mind as hateful

¹ Mason, *Faith of the Gospel*, p. 174.

as the spirit of scorn, which ignored the gods.

Accordingly, to such peoples, possessed during the 'times of ignorance' of this false and pitiful notion of Godhead, St. Paul brought the new conception of God as Father, and men as sons of God. Although there had been amongst the heathen writings, adumbrations of this magnificent truth as the Apostle declares, when on Mars Hill he quoted with approval the words of the poet Aratus, his fellow-countryman, "For we are also His offspring" (Acts xvii. 28), yet such were but the faint glimmerings of the coming dawn.

But, further, that new-found knowledge of the Fatherhood of God, and the sonship of believers, was enriched by his peculiar pre-Christian experience, and prepared him in a remarkable way, by the contrast, to be a worthy exponent of the truth he was so keenly concerned to communicate to others. The most important moment in the spiritual life of St. Paul, next to his conversion, was that when there flashed upon him the full significance of the commandment, "Thou shalt not covet" (Rom. vii. 7). The force of this word has, in the original, "a wider sense than our 'covet'; it includes every

kind of illicit desire.”¹ Concerning other commandments he could say, “All these have I kept from my youth,” since they related only to *external* matters of conduct. As a Pharisee he was not concerned with the surging passions and appetites within the heart; the state of his motives, feeling, or will aroused no anxious solicitude; nay, of their importance in the spiritual life he was ignorant, and therefore he could truly say, “I was alive apart from the law once” (Rom. vii. 9). But St. Paul stood on the threshold of a new discovery. In the moment when the significance of this particular commandment, “Thou shalt not covet,” stood revealed to his conscience, a new dimension for him was added to the Law. Hitherto he had known its length and breadth, now he knew its depth; lusts, passions, evil desires, had formerly aroused no spiritual concern within him, now he learnt that “the world of iniquity within” must be taken into account.

This new insight convinced him of two facts. First, that the Law which had been his boast, and whose demands he had fondly imagined he had perfectly fulfilled, condemned him, its most devoted adherent and

¹ *Vide* Sanday and Headlam, *Internat. Crit. Com.* p. 179.

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follower ; and again, he was persuaded that acceptance with God by means of the Law was impossible, for he testifies, "By the works of the law shall no flesh be justified in His sight" (Rom. iii. 20). How intense the anguish of his soul when suspicions concerning his boasted religion refused to be silenced, when secret misgiving was reinforced by the testimony of those he persecuted and by the witness of Stephen ! Nay more, the impossible standard receded further from attainment as he became conscious that by the perversity of his human nature the Law suggested disobedience. "Sin, finding occasion, wrought in me through the commandment all manner of coveting" (Rom. vii. 8). But the dawn of a new hope was nigh at hand, and brightened into the light of day as soon as the Divine purport of the Law was manifest to his conscience, namely, to prepare the heart to welcome the new principle of life and sonship in Christ Jesus. His transition from despair to hope, from servitude to filial relationship, he thus describes, "A Deliverer has come, and I can only thank God, approaching His Presence in humble gratitude, through Him to whom the deliverance is due—Jesus, Messiah, our Lord."

The great spiritual discovery at length is his, that men are *sons* of God ;—not by the physical act of circumcision, entailing a servile obedience, but through faith in Christ Jesus, which ushered in the new spiritual relationship, “ For ye received not the spirit of bondage again unto fear ; but ye received the spirit of adoption, whereby we cry, Abba, Father.”

Fault has been found with St. Paul on the ground that the method employed by him to expound sonship conveys the idea of a relationship which, emphasizing the external bond of union, is not natural, whereas sonship as Christ presents the idea, for example, in the parable of the Prodigal Son, is neither artificial, nor is it restricted by such limitation. He taught His disciples, too, to regard God as “ our Father ” and address Him as such :—a formula subsequently employed by all His apostles as their ‘ distinctive method of addressing the Deity ’—thereby authorising the use of a term connoting relationships that are frequently unrecognised. For although His relation to the Father is unique, He did not intend His disciples to regard the relationship expressed by “ our Father ” as quite of a different character from His own ; and for

this reason the sonship of such disciples to God, 'is a participation of His own unique relation to the Father.' Otherwise, if entirely different from His, we should be compelled to regard our Lord's presentation of sonship to God as artificial and unreal. The manifestation of this truth during His earthly ministry was impossible, and had necessarily to await the advent of the promised Revealer.

The conception of the fatherhood of God, though clearly recognized in the Old Testament, was limited, as it lacked the note of universalism expressed by Jesus, and so different are the proportions assumed by the doctrine in the New Testament that it may be said, they amount almost to 'a new revelation.' Jesus gave the new and needed impulse: 'if the idea of the fatherhood of God was to retain its highest qualities of warmth and intimacy, and was at the same time not to be the privilege of a chosen few, but was to be brought home to the common consciousness of mankind.'¹

To disparage the Pauline method of statement is, so to speak, to slight the reflected light, because it does not equal the brilliancy of that from which it borrows its diminished

¹ Hastings, *Dict. of Bib.*, art. 'God.'

radiance. The Only Begotten, who was in the bosom of the Father, neither had nor could have any interpreter of His absolute knowledge who might pass on undimmed and unimpaired to man the knowledge He alone possessed. We may be certain that none were more conscious than the Apostle of the measure by which the figure of adoption fell short of the 'genial presentation' of sonship by Christ. Nevertheless it plays an important part, not only in the Pauline theology, but in the devotional literature of the Church, amply repaying a careful examination of the ideas involved.

CHAPTER VI

‘Heirs of God’—A remarkable phrase—Explanation supplied by Roman Law—Julius Paulus quoted—Father and son as joint-proprietors of family property—Limitation of right to disinherit—Purpose of Divine Testament not to disinherit, but confirm a right—Seeming incompatibility of sonship and present suffering—Roman testamentary law contemplated not only rights, but duties—Christ and His joint-heirs—‘The adoption, to wit, the redemption of our body.’

A MATTER for discussion arising naturally out of the subject of adoption is Heirship—a legal metaphor of effective use and frequent occurrence in the Pauline Epistles. Thus, “the Spirit Himself beareth witness with our spirit, that we are children of God: and if children, then heirs; heirs of God, and joint-heirs with Christ; if so be that we suffer with Him, that we may be also glorified with Him” (Rom. viii. 16, 17). Again, “because ye are sons, God hath sent forth the Spirit of His Son into your hearts, crying, Abba, Father. So that thou art no longer a bondservant, but a son; and if a son, then an heir through God”¹ (Gal. iv. 6, 7).

¹ A.V. has ‘an heir of God through Christ.’ διὰ Χριστοῦ is probably an interpolation, depending on Rom. viii. 17.

But having established the reality of sonship, to which fact the indwelling Spirit bears witness by infusing filial impulses, proper to the new relation of sonship to God, St. Paul proceeds to show that the adoption of grace involves further privileges, for believing men are thereby 'heirs of God.' That is an expression with which we are so familiar, that its peculiarity escapes the ordinary reader. The peculiarity consists in the following fact.

According to English Law, heirship connotes death, the death of the father to whom the son succeeds; but God is eternal, hence at first sight this phrase, 'heir of God,' strikes a reader as being unwarranted and absurd. Let us examine the phrase. We shall first take the expression 'heirs of God' as it is commonly understood by an English reader and consider the two conclusions involved. According to our law, a man may have, during his lifetime, an 'heir

'Through God' is a somewhat peculiar phrase, signifying the inheritance comes to men, neither through merit, nor the law, nor kindred with Abraham, but through the redemption effected by God. The idea of heirship has the imprimatur of our Lord (Matt. xxi. 28). In O.T. times it referred to the possession of the Promised Land, but in the N.T. it embraces those privileges associated with the name of the Messiah.

presumptive' or an 'heir apparent,' but, strictly speaking, he can have no heir. It is death, the death of the ancestor, which brings the heir into existence.¹ Hence we find that, according to the common interpretation, the absurd deduction is involved, that God, like man, is capable of death; for, as we have seen, without the death of the person from whom he inherits, the heir does not exist. We pass from that preposterous conclusion to the only other alternative. By it we are obliged to assume that the Apostle employed the expression in a manner both vague and pointless. Such an assumption would be entirely at variance with the precise and logical methods of the writer, and, moreover, would defeat the very purpose he had in view, namely, to bring home to the hearts of his readers the certainty and indefeasible nature of the eternal inheritance to be shared with Christ our 'joint-heir.'

This remarkable phrase, 'heirs of God,' implying succession to an Eternal Being, cannot be satisfactorily explained by the principles of our law; but the fact that the

¹ Blackstone, on Title by Descent, says, 'By law no inheritance can vest, nor can any person be the heir of another till the ancestor is dead.'

Apostle was employing the conceptions of Roman jurisprudence to formulate his theology, removes our difficulty. 'Heirs' and 'inheritance' in St. Paul's days implied the very reverse of the conceptions involved in the modern use of these terms. A person did not then await the decease of the man whose son he was; in the moment he was born, or constituted a son by adoption, he then became an heir.

A further difference to be observed in the principle which obtained in Roman Law has been well put by Sir Henry Maine. He compares the Roman conception of inheritance to the notion expressed by our legal maxim, 'the king never dies,' and so the testator was conceived to live on still in his heir. 'In the pure Roman jurisprudence, the principle that a man lives on in his heir—the elimination, if one may so speak, of the fact of death—is, too obviously for mistake, the centre round which the whole law of testamentary and intestate succession is circling.'¹ Thus birth, not death, according to Roman Law, brought the heir into being.

Applying these facts to the figure 'heirs of God,' we perceive a new import and a

¹ Maine, *Ancient Law*, p. 190.

loftier meaning. No longer does the expression seem forced or unwarranted. Birth, not death, is the incident which initiates the happy condition of an 'heir of God.' The new birth into the family of God, through faith in Christ Jesus, is the foundation of the right to inheritance. Our claim to sonship rests upon the new relationship established, "Ye are all sons of God, through faith, in Christ Jesus" (Gal. iii. 26).

The phrase "heirs of God and joint-heirs with Christ" involved a destiny so sublime that sober minds might well regard the promised heritage as purely visionary. But as no mere enthusiast St. Paul declared, "I am in a strait betwixt two, having a desire to depart and be with Christ; for it is very far better" (Phil. i. 23). For, having proved his Master's present promises, he was fully assured of those to come, and all that intervened between him and the incorruptible inheritance was but

" The lifting of a latch,
Naught but a step into the open air
Out of a tent already luminous
With light which shines through its transparent folds."

By the familiar figures 'heir' and 'inheritance' he would bring to other hearts an assurance like his own.

Just as the very novelty and sublimity of the glorious truth no doubt caused some to question its reality, so assuredly many readers to-day fail to apprehend precious aspects of the same truth on account of erroneous interpretation, or overlook them by reason of familiarity with the terms.

We find in the *Digest* (28-2-11) a quotation of which Julius Paulus (the Jurist) is the author, that a sort of co-partnership existed in the property possessed by the family, and thus the father and his children were joint-owners of the family estate. 'When, therefore, the father dies it is not so correct to say that they inherit his property, as that they acquire the free control of their own.'¹ A curious feature of Roman Law bears out this fact. Throughout the records of Roman history, and even in the time of Justinian, who abolished so much of the older law, the rule was universally observed that if a father wished to disinherit his sons, adopted or otherwise, he must do so in express terms.² If he failed to do this, the will whereby he had attempted to give the inheritance to

¹ Post mortem patris non hereditatem percipere videntur, sed magis liberam bonorum administrationem consequuntur.

² "Sed siquidem filius a patre exheredetur, nominatim exheredari debet: alioquin non videtur exheredari."—Gaius, ii. 127.

others was absolutely void, and the children inherited notwithstanding the will, the reason being, as above stated, the law regarded the children as already, before the death of the father, co-proprietors in that inheritance.

Now the whole purport of God's covenant with men in Christ is not to disinherit, but the reverse, to assert, to confirm their right. Human purposes may change, but there is no dualism in the counsels of God. Thus, "if ye are Christ's, then are ye Abraham's seed, heirs¹ according to the promise" (Gal. iii. 29).

Those to whom St. Paul wrote, being fully conversant with the legal aspects of heirship, apprehended the lofty conception set forth in these figures and the spiritual prerogatives portrayed. They thereby realised the ilimitable inheritance—though for a time its enjoyment was deferred—as already a possession of the child of God. They were not mere expectants, but possessors in reality of the eternal inheritance; already, here and now, they were partners with God in the Divine patrimony. It is noteworthy that

¹ Not "heirs" of *Abraham*; that was the Jew's contention but "heirs" of *God*, in agreement with the statement as in Gal. iii. 26.

St. Paul asserts this privilege of spiritual inheritance, in close connection with his statement of the incarnation and its purpose, "that we might receive the adoption of sons." The Son of God became the Son of Man in order that men might become the sons of God;—a spiritual status involving inheritance, for "if children, then heirs; heirs of God, and joint-heirs together with Christ" (Rom. viii. 17). But how are we to reconcile all this with the low estate of the present? Such exalted honour and privilege might appear to be incompatible with the trials, the temptations, "the sufferings of this present time." By sad experience we know that the evils consequent upon previous sin are not annihilated by the pardon granted in sonship, and the child of God is therefore sometimes tempted to suspect the validity of his sonship; but the Holy Spirit, in His office as a witness, enables the heir of God to look upon these consequences in a different light. Formerly he regarded them as penal, 'emphasizing his separation from God,' but now he sees them in the light of a spiritual discipline, the purport of which is to bring a closer union between the Father and His child. He who thus interprets the 'mystery of suffering' and so reconciles it

with the love of God in Christ, can truly say—

“ And so I live, you see,
Go through the world, try, prove, reject,
Prefer, still struggling to effect
My warfare ; happy that I can
Be crossed and thwarted as a man,
Not left in God’s contempt apart,
With ghastly smooth life, dead at heart.”¹

Universal suffering does not belie the sublime destiny, for it is only a stage of transitory experience which must precede attainment of the heritage of glory. The apparent inconsistency vanishes in the light of this figure, “ if children, then heirs ; heirs of God, and joint-heirs with Christ ; if so be that we suffer with Him, that we may also be glorified with Him.”

This does not refer to sorrow in general, which comes to all, whether children of God or not. The ‘ suffering ’ here intended is that arising from our union with Christ ; such suffering ‘ must be involved in our being one of His members.’ This is but the Pauline setting of St. Peter’s assurance, “ but insomuch as ye are partakers of Christ’s sufferings, rejoice ; that at the revelation of His glory also ye may rejoice with exceeding joy ” (1 Pet. iv. 13). Roman

¹ Browning, “ Easter-Day.”

Law did not contemplate—any more than our present law—an inheritance as involving only rights and privileges. The heir was responsible for any liabilities affecting the inheritance, as well as for the performance of any duties which the adopter might choose to place upon him.

Thus co-heirs, according to Roman Law, were invested with a liability to the claims upon the inheritance to which they succeeded. It would be manifestly unjust to permit one co-heir to accept all the benefits and at the same time to refuse the liabilities, thus casting all the burden upon the other co-heir. So we cannot expect to share the glory with Christ and reject the suffering entailed, for “faithful is the saying: If we endure, we shall also reign with Him” (2 Tim. ii. 11 and 12), and to suffer with Christ is but an evidence of our oneness with Him. It is only by our sharing in the inheritance of suffering and service, of whatever kind it may be, that we can finally hope to be sharers in the heritage of glory. ‘We must bear the charges with Him, if we would also share the emoluments.’

But the certainty and value of the inheritance encouraged the Roman heir to sustain the burden of such liabilities as might be

involved in the inheritance. So, too, the child of God can say, “I reckon that the sufferings of this present time are not worthy to be compared with the glory which shall be revealed to us-ward” (Rom. viii. 18). The right and title to the eternal inheritance is indefeasible,¹ so that the ‘co-heir with Christ’ can declare, ‘to disinherit me is to disinherit my co-heir Christ; for His title and mine are joined together in an indissoluble bond of co-heirship’; according to the title, we are “children of God, and if children then heirs; heirs of God, and joint-heirs with Christ.”

In close connection with the benefits flowing from sonship by adoption, St. Paul refers to what some have conceived to be either a different type of adoption or a contrasted and perfect spiritual state, in the words, “not only so, but ourselves also, which have the firstfruits of the Spirit, even we ourselves groan within ourselves, waiting for our adoption, to wit, the redemption of our body” (Rom. viii. 23). But neither of these explanations gives the true sense

¹ Compare with this the maxim of Roman Law, ‘semel heres semper heres’; the inheritance might be forfeited for certain reasons, *e.g.* if the heir refused to observe the terms of the will, but this was the exception to the general rule.

of the passage; for the Apostle 'is not here contrasting an *inward* state already relatively perfect with an *outward* state which has not yet participated in the spiritual renewal. The Apostle means: We ourselves who, by the possession of the Spirit, have already entered inwardly into the new world, still groan because there is a part of our being, the outward man, which does not yet enjoy this privilege.' ¹

In our present circumstances we have only the firstfruits of the Spirit, comprising "love, joy, peace, longsuffering, goodness, faith, meekness, temperance"; but the glorious inheritance which pertains to the sons of God will not be realized in all its fulness until the resurrection, when, "conformed to the body of His glory," the faultlessness of the *outward* man will be united to the holiness of the believer's redeemed spirit, whereby the physical part of the adopted son of God shall have been placed on an equality with his spirit, and when body, as well as spirit, shall have become participators in Redemption. While there is no doubt as to the fact of our present adoption, nevertheless, so long as the physical side of our nature is not a partici-

¹ Godet, *Romans*, vol. ii. p. 97.

pator in the redemptive process already enjoyed by the spirit, just so long we may be truly said to "wait for our adoption."

Thus there is no inconsistency in the statements, but, according to the particular aspect of sonship which occupies the Apostle's mind, he refers at one time to the inheritance as already in possession, and again as in the nature of an expectancy. A similar characteristic may be observed as the Apostle treats of salvation; at one time he regards it as a thing already complete, and again as a conception of a spiritual fact only to be perfected at the Parousia. The question may be asked what is the nature of the inheritance to which the Apostle refers? We can only reply in the words of Scripture, "it is not yet made manifest what we shall be"; but this we do know, 'Christ admits all His brethren to share alike in that inheritance which He has won, not for Himself, but for them.' The testimony of St. John, though expressed in another setting, is in full accord with that of the Apostle to the Gentiles, "We know that, if He shall be manifested, we shall be like Him" (1 John iii. 2).

CHAPTER VII

St. Paul's fondness for legal expressions—The Holy Spirit as a witness—Adoption to be distinguished from Justification—Result of failure to comprehend the spirit of sonship—Reason for presence of witnesses—Solidarity between the Pauline and Johannine exposition of subjective experience—Does the present popular conception of the Divine nature call for readjustment?—Testimony of the Church of England and Nonconformity—Cause for the present decline of the religious sentiment—The problem for the Church to-day resembles that confronted by St. Paul.

THE fondness of St. Paul for illustration drawn from legal sources has been enlarged upon by Professor Deissmann in his *Light from the Ancient East*, in which he gives a series of most interesting examples. Many of these have only recently been identified as involving legal ideas, through discoveries of papyri, ostræa, and other ancient remains. But surely none was more apt than the reference to the witnesses—whose special function is described below—in the ceremony of adoption. The Apostle employs the figure to illustrate the testimony borne by the Holy Spirit to the Christian conscious-

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ness. "The Spirit beareth witness with our spirit, that we are the children of God" (Rom. viii. 16).

Now, all who are justified by faith in Christ are undoubtedly the sons of God, but it is equally true that all have not the consciousness of sonship: the lack of which is one of the causes of a type of servile Christianity, alas! only too common and fatal to the spirit of Christian liberty.

Adoption in this sense—the believer's consciousness of sonship and its resulting filial spirit—is to be distinguished from justification. The act of justification is objective, and should be, but is not always, followed by that normal Christian experience, the subjective spirit of sonship. Where that spirit of conscious sonship is present, it confers an ennobling assurance, inspiring every thought and action of the child of God. But many a believer in Christ, because he has failed to realize the full consequence of his adoption into the family of God, is dwelling in a land of sombre shadow, and needs but to see his blessed privilege in order to pass into an unclouded clime. Our Lord describes the Prodigal, in the parable related by St. Luke, as one who conceived he would return to the paternal home in the

capacity of a servant; but his father had other intentions, and all his future services were to be rendered, not as a servant, but as a son. Another aspect, according to Christ's presentation, was the fact that the sinner, debased by his grievous sin and alienated by his own act from his father, is graciously accepted and restored to the full privileges of sonship, just as if he had never forsaken his father's home and love. Adoption is the Pauline figure for setting forth the same truth.

For a man to know he is justified by a Divine operation is indeed good, but there is, as we have seen, a further accession of spiritual knowledge, not always attained, namely, the persuasion of filial relationship, of exalted privilege, and he who fails to attain this spirit is depriving himself of a precious comfort and encouragement which is his by right, and ought to be his in possession. "The sin of the world is a false confidence, a careless, complacent taking for granted that a man is a Christian when he is not. The fault, sorrow, and weakness of the Church is a false diffidence, an anxious fear whether a man be a Christian when he is. . . . Many Christians go through life with this as the pervading temper of their

minds—a doubt sometimes arising almost to agony, and sometimes dying down to passive, patient acceptance of the condition as inevitable,—a doubt whether, after all, they be not, as they say, ‘deceiving themselves’; and in the perverse ingenuity with which that state of mind is constantly marked, they manage to distil for themselves a bitter vinegar of self-accusation out of grand words in the Bible, that were meant to afford them but the wine of gladness and of consolation.”¹ Thus the state of sonship which every Christian possesses is one thing, the rarer spirit of conscious and assured sonship is another; but the Divine intention is plainly revealed, that every believer should be the happy possessor of both; “God sent forth His Son . . . that we might receive the adoption of sons.” And “because ye are sons, God sent forth the Spirit of His Son into your hearts, crying, Abba, Father” (Gal. iv. 4–6). The faith in Christ whereby men become “sons of God” is normally accompanied by love to Him, in a greater or lesser degree. It is the response of the heart to the prior love of God, as expressed by St. John, “We love, because He first loved us” (1 John iv. 19).

¹ Maclaren, *Exposition on Epis. to Romans*, p. 136.

But while this love to God on the part of the believer is a new spiritual attitude, a new experience kindled within—nevertheless it may not afford conclusive evidence to him that he is indeed entitled to reckon himself a son of God. But there is a further witness proceeding, not from the believer's own heart, but from God Himself, for it is one of the functions of the Holy Spirit to testify, "The Spirit Himself beareth witness with our spirit, that we are children of God" (Rom. viii. 16). This he effects by the assurance of *God's* love for the individual soul, which is the complement of the believer's love to God; for when the sense of God's love has been "shed abroad in our hearts through the Holy Ghost which was given unto us" (Rom. v. 5), perplexity concerning the real relationship to God vanishes in the presence of the witnessing Spirit.

At every ceremony of adoption, witnesses were necessary, and the *raison d'être* of their presence, according to the institutions of Roman Law, was to bear testimony, should the need arise, concerning disputed points. For example, it might be necessary to seek further evidence as to the intentions of the principal parties to a transaction, dealing

with the transference of a person from one family to another, *i.e.* from the “potestas”¹ of one individual to that of another. There was a stereotyped form of words employed for the adoption of a son into a new family, and a very similar form for a very different object, namely, the sale of a person into slavery. The actual form of words in both cases was so similar, that in the absence of special precautions, misapprehension might occur. Now the special function of those witnesses who were always present on such occasions was to safeguard the real intentions of the parties, otherwise a case of adoption might be construed as one of slavery, and *vice versa*. In the event of misapprehension or opposition, one of the witnesses was summoned, and a judicial decision obtained in accordance with his testimony. The man who affirmed that he was an adopted son, whose claim to the privileges involved in sonship had not been disputed, and another man whose disputed claim had been upheld, might have equal rights to sonship and to inheritance, but the very opposition to the claim introduced a new species of evidence, that of the witness, which was unanswerable and undeniable. The adopted

¹ See p. 67.

son was confirmed in his right, and no longer could questions arise.

Now the Spirit had borne witness with the spirit of St. Paul, and from that subjective experience he declared, "because ye are sons, God sent forth the Spirit of His Son into our hearts, crying, Abba, Father." The solidarity to be observed in the Johannine and Pauline exposition of this inner subjective life of Christianity is noteworthy; according to the former, "Whosoever believeth that Jesus is the Christ is begotten of God" (1 John v. 1), in perfect accord with St. Paul's more technical statement: both insist on the fact that sonship to God results from union with Christ by faith. Both writers also appeal to the corroborative evidence within, laying stress upon the value of the inner witness, the testimony of the Spirit: "As many as are led by the Spirit of God," says St. Paul, "they are the sons of God." This finds its equivalent in the Johannine phraseology, "If we receive the witness of men, the witness of God is greater. . . . He that believeth on the Son of God hath the witness in himself" (1 John v. 9-10), thus expressing the spirit of his Epistle, which, so far as the subjective experience

is involved, was the complement of his Gospel.

St. Paul recognised the need, amongst his readers, for a noble and inspiring, a worthy and constraining, conception of man's relationship to God; and as we reflect on the present popular conception of the Divine nature, the thought forces itself on us whether a problem similar to that which exercised the mind of the Apostle has not arisen in our day. On all sides we hear the melancholy confession that the sway which religion exercises over the minds of men is fast diminishing. It is not that the methods employed to retain the religious allegiance are not sufficiently varied, nor are the efforts feeble than in other days, but the subject prompts the question, "May not the prevailing notion of the Divine nature and the Divine Law too, require readjustment in the minds of men?" In Apostolic times it was necessary to combat erroneous conceptions and perversions of the truth. History repeats itself, and the dark repellent view of God as a stern Ruler and Judge, whose austere severity had alone been tempered by the clemency of the Saviour, was responsible for the low tide of religious life and fervour during the eighteenth and

the earlier half of the nineteenth century. The potency of Calvin's teaching had not yet been exhausted, but men were beginning to rebel against his portraiture of the Eternal Father as One who has prescribed for multitudes of His dependent creatures an endless doom.¹ But the dawn of a new and a loftier conception concerning the Divine Fatherhood was at hand. "That God was a Father to men flashed out like a new discovery. A speaker in Parliament actually referred with admiration to 'what had recently been called in beautiful language, the Fatherhood of God.' The term is now so familiar to us that we find it difficult to imagine that fifty years ago it could strike men as new. It was an old truth that had slept and awaked; and when once pointed out, it was seen to be everywhere in the New Testament."²

We live in days when the pendulum has swung to the other extreme, and men ascribe to God a character analogous to that of a good-natured, complacent man, whose weakness is that he condones a wrong, rather than troubles to vindicate himself and assert the

¹ For a brief but striking account of the result of modern Calvinism in New England, see Alexander's *Primary Convictions*, pp. 318 and 319.

² J. A. Robinson, *Camb. Univ. Sermons*.

right. When the conception is abroad that punishment is alien to His character and that His justice is overthrown by His love, men will make light of sin. Withdraw the conception of penal consequence, and the Divine law, having lost its constraining power, becomes mere advice which men are free to treat as they please.

There are, alas ! multitudinous evidences that many have reached an alarming stage of indifference to the Divine claims upon them, a state similar to that attained by those who conceived that the Gospel of God's love furnished a licence to sin, and to whom St. Paul thus referred, " Shall we sin, because we are not under the law, but under grace ? " (Rom. vi. 15). That the fear of God is fast becoming enfeebled, is the testimony both of the Church of England and Nonconformity. This result has followed, we believe, in great measure from the misunderstanding of the ' love of God.' The ' fear ' of God is compatible with our love to Him and His love to us, but both are needful. The heart of a child is filled with love to an affectionate father, and the greater the love, the greater the dread of grieving him whom he loves. But let that child begin to conceive that a weak good

nature animates his father's attitude towards him, then those worthy and ennobling sentiments of veneration, homage, and deference will be supplanted by a frame of mind capable of repudiating all parental claim on loyalty and service.

The cause of the lamentable decline of the religious sentiment may be traced to the divorce of two eternal qualities in the Divine nature—justice and love—which, if the religious life of the nation is to be maintained, can never be separated. “It is true—eternal truth—that God is love. But it was easily misinterpreted in an unworthy sense by those who could not distinguish between love and mere good nature. For those who did not know that in reality we fear most the person we love most and who loves us most—that reverence and love are inseparable : for those who could not understand that love is very jealous and demands complete surrender, and therefore that the holy love of God is awful and constraining : for such the notion grew that God was too kind to punish. The fear of God was weakened : the strain of duty was relaxed : a softness came over religion : it might attract, but it had lost its power to compel.”¹

¹ J. A. Robinson, *Camb. Univ. Sermons*.

False as was the Calvinistic conception of former days, tending to a spiritual bondage, equally false is the present popular conception tending to licence. That attitude towards religion is widely extending, and the remedy is not to be found in ceaseless reiteration of dogma, but in bringing back to the hearts of men the truth that the fear of God is a necessary element in all worthy service and worship, and that those of whom it is true, "there is no fear of God before their eyes" (Rom. iii. 18), have attained the climax of human depravity and wickedness. It is a power which is never absent in a true revival of religion, a power which St. Paul employed with studied purpose: "Knowing therefore the fear of the Lord, we persuade men" (2 Cor. v. 11). While it is true that fear is cast out by love, as St. John informs us, yet there is a reverent awe which cannot be eclipsed by love without disastrous consequences to the religion of the individual. The problem for the Church to-day is the same as that which confronted St. Paul, when he sought to adapt his message to the comprehension of the toiling masses, the humble artisan, the soldier, and the slave. The words of the writer quoted above are to the point: "The gospel needs translating

into the language of the masses ; it must be brought within the range of their ideas ; must at least understand their prepossessions ; must be recommended by illustrations taken boldly from their manner of life : This was St. Paul's method ; it is worth adoption to-day.¹

¹ *Stud. Bib.*, vol. iv. p. 13.

CHAPTER VIII

The office of the Law—Figure of heir under age—Pauline conception of the Law aroused intense hostility in Jewish circles—This attitude had its roots in past history—Reforms of Ezra—Dominating hope of Judaism in past (Captivity) era—Apocalyptic literature and its purpose—The claim that the world was created for Israel—The suicide of national hope involved in St. Paul's attitude—Baptism of Cornelius implied a principle of universal application—St. Peter's inconsistency—Condition of the Jew under the Law illustrated by tutelage—Jewish conception of God—Advent of Heir of all things.

ST. PAUL was the first to realize, or rather to expound, the purport of the Law of Moses from the standpoint of Christianity. He perceived that while it afforded no effectual remedy for the deepest needs of humanity, it fulfilled a most necessary, though subordinate, office during the spiritual minority of the Jew. It supplied a preparatory discipline, and by requiring a perfect obedience, to which men found by sad experience they could not attain, it thus revealed their moral helplessness, and by intensifying the consciousness of sin, prepared them to

welcome the principle, "The righteousness of God by faith." But all this involved its temporary nature and ultimate abrogation. Could any figure be more apt than that drawn from the condition of an heir under age, subject to guardians and stewards till he had learned to value the liberty destined to be his, at the time appointed by the father? "So long as the heir is a child, he differeth nothing from a bondservant, though he be lord of all; but is under guardians and stewards until the time appointed of the father" (Gal. iv. 1, 2). The analogy, like any other relating to Divine things, is not applicable in all its details, and it is possible St. Paul was not referring explicitly to any one system of law, but had in contemplation a 'sort of abstraction' of the principles common to tutelage. In its main features, however, it was strikingly applicable. Thus the limitations imposed on a minor were not intended as, nor indeed could be, permanent. So too the spiritual minority of "children in bondage under the rudiments of the world" must terminate in the fulness of time. Again, the system of 'guardians and stewards' was indispensable for the child under age. So also was the Divine plan for the spiritual nonage of the sons of God.

But when the temporary yet indispensable purposes was fulfilled, the heir—no longer in a condition hardly distinguishable from that of a bondservant, scarce knowing why he must yield obedience, unconscious of his father's intention concerning him, and ignorant of the value of his inheritance—entered into enjoyment of the paternal provision for his future and the liberty of full manhood. So those emancipated from the disabilities of legalism entered into the glorious liberty of the children of God. As reference is made in Chapter X. to the legal terms involved in the analogy, we confine ourselves here to consideration of the causes for the intense hostility aroused in Jewish circles by the Pauline conception of the Mosaic Law. That conception is reflected in the above passage.

The origin of this hostility is to be sought in times long anterior to the age of St. Paul. It is therefore necessary to revert to certain national movements amongst the Jews, developed as far back as the days of Ezra and Nehemiah, who may be regarded as the real founders of Judaism. What is recorded of Ezra is true of Nehemiah : he “ had set his heart to seek the law of the

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Lord, and to do it, and to teach in Israel statutes and judgments" (Ezra vii. 10). They impressed not a section only, but the whole nation, with such a sense of the sanctity and importance of the Law, as had not hitherto existed; so that its former neglect was replaced by a passionate regard and intense devotion. Thus "legal observance remained from the time of Ezra until long after the Christian era as the universal expression of Jewish piety."¹ The Prophets were relegated to a secondary place, and the Law regarded "as a complete system by which men should live." A policy of isolated national life was inaugurated, and marriage with alien races was prohibited. In the absence of the monarchical system the priestly class was in the ascendant.

The principles inculcated were responded to with alacrity, for the remnant which returned with Ezra represented a people purged of elements which might weaken the national cause. Those with feeble faith in Jehovah and the triumph of His cause had been absorbed into heathenism, but the residue were animated by qualities giving rise to those later features of Judaism,

¹ Gamble's *Spiritual Sequence of the Bible*, p. 57.

“bitter zeal and exclusive temper.” The inner spring of this national movement was the strong hope of a liberator, through whom the Gentile would be humiliated, and vengeance meted out to the oppressors of the people of God.

But the special aspects of this national reformation began to be obscured, and prepared the way for that phase of Judaism which ushered in the Maccabean period, with its zealots, urged on by an undying resistance to Rome, and animated by the firm conviction of a universal Jewish theocracy; for the spirit of Judaism was transformed between the return from the Captivity and the time of Christ.

For a time this revival of the Law satisfied the national hope, but at length the severity and continuance of Syrian and Roman oppression forced the conviction that the restoration of a Davidic kingdom was no longer possible. Further, unfulfilled prophecy concerning God’s gracious purpose for man caused trust in the ideas of the Prophets to wane. During the two centuries preceding the Christian era a remarkable development took place in Hebrew literature. Apocalyptic writings took the place of prophecy, to which they were akin. Under

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the name and guise of some hero prominent in Hebrew history, such as Enoch, Moses, Daniel, or Baruch, this literature, based on familiar writings, giving a 'new turn' and another interpretation, was accepted as offering a solution of what hitherto had been enigmas in God's providential dealings with His people. Amidst their visions and obscure symbols, these writers, adopting a wider outlook than the Prophets, insist on the final vindication of God's promises to the nation.

Now in this literature is to be discovered one of the causes for the intense hostility exhibited by the Jew to the attitude adopted by St. Paul towards the Law and towards the Gentile world. The sufferings Israel had long endured at the hands of relentless enemies soured the spirit of the nation. One of the hopes which sustained the people was the confident expectation of the downfall and appalling retribution foretold by the Apocalyptic writers as the doom in store for the hated Gentile oppressor. Was he to be admitted to the cherished privileges of Israel? Were the long-drawn-out sufferings of the nation to be ignored by a spiritual amnesty conferred on those who had degraded and

humiliated God's chosen people? The thought to the Jew from any quarter was intolerable; and doubly so, proceeding from one regarded as a renegade and apostate from the national faith.¹

It is only in recent years that the importance of this literature has been recognized. Its purpose was to uphold the national faith during a protracted period of trial, which its authors sought to achieve by presenting the adverse experiences of the people as the "long historical sequence" necessary to the fulfilment of the consummation they confidently asserted.

These facts serve to explain those alternations in the popular sentiment towards our Lord. Was it fondly imagined that He was manifesting His power as the expected Liberator? Then the people would "take Him by force and make Him a King." Did He appear by some other aspect of His

¹ The Jewish contemporaries of St. Paul regarded God's covenant as indissoluble, and one from which He could not recede. The belief is exhibited again and again in the Apocalyptic literature. It was claimed that the world was created for Israel. According to the Jew, "he and his people alone were the centre of all God's action in the creation and government of the world." As for Gentile nations, they were of no consequence whatsoever, and were compared to spittle. These facts illustrate the striking declension, in St. Paul's days, from the conception of the Prophets,

ministry to contradict the cherished idea ? Then they were ready to join in the cry, "Crucify Him." That same spirit confronted St. Paul, as he proclaimed a spiritual empire whose bounds and influence should far exceed the most sanguine expectations of the enthusiasts, by making the Gentile, equally with the Jew, a participator in a universal blessing. Of those to whom he preached, some, renouncing the materialized notion of an earthly Kingdom, accepted the conception of a spiritual Kingdom—not conditioned by racial prerogatives or ceremonial observances, but based on "righteousness, peace, and joy in the Holy Ghost"; most, however, were repelled, and clung with redoubled vehemence to the old conception.

The attempt to turn the tide of popular misconception necessarily involved the wounding of Jewish racial pride. Institutions, dearer than life itself, were challenged when St. Paul asserted : "It is not he who has the outward and visible marks of a Jew who is the true Jew ; neither is an outward and bodily circumcision the true circumcision. But he who is inwardly and secretly a Jew is the true Jew ; and the moral and spiritual circumcision is that which really deserves

the name.”¹ The Jew, conscious that such doctrine involved the suicide of his cherished faith, threw himself into opposition, for thereby, “at a stroke, the feeling of race, which had been matured through ages of struggle and persecution, and had become a part of the deepest passions of the Jews, was to be done away, and there was to arise a new Israel, a fresh people of God, set aside, not by blood, but by a living relation to God.”²

Thus amongst the Jewish Christians there were some in whom the acceptance of the new faith had not obliterated the sense of national pride and race privilege, to which reference has just been made. They conceived that the principal modification of their ancient faith, introduced by Christianity, consisted in the acceptance of Christ as the promised Messiah, and the fact that He had made atonement for their sins, by His death on the Cross. Had they been content to retain Jewish practices for themselves the subsequent controversy with the apostle might never have arisen, as he did not require Christians of Jewish birth to cease living as

¹ Sanday and Headlam's paraphrase, *Crit. Com.*, Rom. ii. 28, 29.

² Gardner, *Growth of Christianity*, p. 80.

Jews. But they insisted that Gentile converts should pass through the portals of Judaism by observing the rite of circumcision. So long as the converts were mostly drawn from Judaism there was little evidence of the coming controversy, but when Gentiles became believers in such numbers "as bid fair to swamp the old disciples," and when they realized that St. Paul's exposition of the Law and the doctrine of the Atonement involved the abrogation, not only of circumcision, but Mosaism as a whole, the reactionary party among the Jewish Christians threw themselves fanatically into an attempt to undermine the Apostle's influence and recapture for Judaism his Gentile converts. Accordingly, when St. Paul returned to Antioch he found that certain "false brethren," representing the extreme Jewish party at Jerusalem, had initiated amongst his converts a retrograde movement towards Judaism. Now the admission of Cornelius, the Gentile, into full communion with the Church at Jerusalem, accompanied, as it was, by evidences of Divine direction and approval, had clearly embodied a principle of universal application to Gentile Christianity—namely, that the observance of the Mosaic Law was not

incumbent on the non-Jewish believer ; but these reactionaries repudiated the principle involved, and regarded his admission as an exceptional case, entirely unrelated to the question at issue.

Arguments also were not wanting to persuade the Gentile converts of St. Paul to renounce their new found Christian liberty. Thus the Law of Moses had a Divine origin, God had formed His covenant with "Abraham and his seed" ; Jesus was of the seed of Abraham, and not only did He observe that Law, but He and His disciples submitted to the rite of circumcision ; the only teacher adverse to this position was one, neither called to the apostolate during the earthly ministry of Jesus, as were the Palestinian apostles, nor able to produce letters of commendation to prove he was authorised by the Church at Jerusalem. Such arguments were not without result in seriously disturbing the peace of the Churches and undermining the faith of the converts. It was therefore resolved to send St. Paul to Jerusalem to secure a final decision from the leading apostles there. Although they formally decided to support him in his assertion of Gentile Christianity, much opposition proceeded from those members of

the extreme Jewish party present at the Council. Notwithstanding this decision, they continued to embarrass and misrepresent St. Paul's work throughout the Gentile Churches.

The magnitude of the peril to Gentile Christianity may be gauged by the fact that even St. Peter was carried away by their specious pleading, for, although at Antioch he associated himself freely with uncircumcised members of the Gentile Church, yet when reproached by messengers from Jerusalem, he separated himself from them and inconsistently abandoned the liberal attitude previously adopted. This inconsistency, amounting to virtual rejection of the Council's decision, added force to the plausible arguments of the Judaisers.

These were, indeed, perilous times for the new faith; and had St. Paul relaxed his efforts, that grand conception of a universal Church, whose gates were opened to all believers, might have remained for ages a mystery still hidden from the sons of men. It was at this crisis he wrote his Epistle to the Galatians, vindicating his authority and proving the Law to be, not a final ordinance, but merely a preparation for the Gospel of Christ. He sums up in a sentence

the grand distinction between Judaism and Christianity: "But I say so long as the heir is a child, he differeth nothing from a bondservant, though he is lord of all; but is under guardians and stewards until the time appointed of the father." Hence the spirit gendered in the Jewish race while under tutelage, a spirit leading the nation to regard God as afar off, "So distant that He could have nothing to do with it, except through angelic intermediaries, so majestic and awful that men were afraid to pronounce His name, and spoke of Him and to Him by circumlocution; a Divine taskmaster who imposed a heavy burden of legal obligation which men bore in a spirit of slavish fear;—such was the pre-Christian state of even God's chosen people of Israel." ¹

Such unworthy conceptions of God, however pardonable in those of the older dispensation, could have no place when "the term appointed" by the Divine Father had arrived. The former condition of tutelage had terminated, for the Heir of all things had entered on His rightful inheritance, in Him emancipation had been achieved for all believers. St. Paul has nothing to say

¹ A. B. Bruce, *Sermons*.

against the Law as such, for it is "holy, and the commandment holy, and righteous, and good" (Rom. vii. 12); indeed, so far as its special office in the Divine plan of salvation was concerned, he would have been the first to vindicate its use and worth, but contrasted with the Gospel it was imperfect and inadequate. Its office only continued while the childhood of the race was not ready to enjoy freedom, when rules of conduct had to be rigidly enforced, and while "principles could not be nakedly and argumentatively enunciated."

The Galatians failed to see that a discipline fitted for children could not be permanent, and ignored the fact that its purpose was but the preparation for the Kingdom of God proclaimed by Christ. St. Paul's protest against their folly was founded on his own spiritual experience; he knew that the temporary dispensation had gendered within him unworthy and imperfect notions of God and His service, as distinguished from the liberty and gladness of sonship, now attained through the advent of the Heir." In Christ they had attained their spiritual majority, the temporary functions of the Law, figured by "guardians and stewards," had *ipso facto* come to an end. They were entitled to the

exercise of freedom and liberty, untrammelled by restrictions which, however imperative during a spiritual nonage, were no longer needful. "Wherefore then serveth the Law?" the Apostle demands, for their action was a reversal of the natural order, a re-entrance of the full-grown man into minority, with restrictions and limitations proper to a state of childhood.

CHAPTER IX

Reason for introducing figure of 'a man's covenant'—
Jewish notion that the Law existed before Patriarchs—
No interruption in principle of Faith from the age of
Abraham—New Testament use of terms 'covenant'
and 'testament'—The Roman will revocable during
life and operative at death—Use made of this fact by
author of 'Hebrews'—The Greek will irrevocable—
The Mosaic law introduced as an innovation—Contrast
between law and promise as to mode whereby given—
Progressive revelation not from Law to Faith, but
"from faith to faith"—Permanency of principle of
Faith manifests immutability of God's design.

THE words, "though it be but a man's covenant, yet when it hath been confirmed, no one maketh it void, or addeth thereto" (Gal. iii. 15), carry St. Paul's great controversy a stage further. In the previous chapter he had sought to emphasize the temporary nature of the law by the figure of the child under age. Here he deals with a different aspect, namely, the permanence of God's original covenant, the immutability of the Divine promise to Abraham. The cause of the dispute may be of little interest to some, but we cannot be indifferent to the debt we owe the Apostle for guiding the

primitive Church through the greatest crisis in its history, when Judaism seriously threatened to make its way into the new faith. As we picture him standing almost alone 'against the world,' facing simultaneous attack from nearly every centre of his work, all the while persecuted and misrepresented, renouncing the ancient faith, 'while the gospel of complete salvation by faith in Christ was yet unproved,' we recognize him as the foremost champion of Christian liberty, who by his hard-won victory has made the whole world his debtor. Had he been unsuccessful, the scope of its appeal must have been limited to a single nation, and the design of Christianity as a universal religion frustrated.

The Epistle to the Galatians was written during an acute stage of the controversy with the extreme Jewish party, who regarded his attitude towards the Law as revolutionary. Though they had accepted Christianity, they still continued to be Jews. To admit Gentiles to the high privileges of the commonwealth of Israel on the terms maintained by St. Paul, was keenly felt by them as a disparagement to their race and a profanation of cherished privileges. "The question at issue was whether heathens, having become

Christians, were to be required to become Jews likewise, and that as a matter of essential principle to concede this was to make void the grace of God and the faith of man."¹

But when Jewish emissaries entered into the Pauline Churches, and by insisting on the necessity of circumcision imperilled the simplicity of the Gospel, the apostle realized that it was imperative to defeat their efforts, by demonstrating the true relation in which Mosaism stood to the principle of Faith. St. Paul purposed, by introducing the following analogy, to convince his opponents of God's eternal purpose in the Covenant of Promise, and demonstrate the subserviency of the Law to it, for "a covenant confirmed beforehand by God, the Law, which came four hundred and thirty years after, doth not disannul,"² so as to make the promise of none effect" (Gal. iii. 17). Thus he shows that God did not establish two collateral covenants or

¹ Hort, *Judaistic Christianity*, p. 100.

² The translation, "the law . . . cannot disannul" (A.V.), is misleading. A testator had power to abrogate a former will by a later one. R.V. translates (*οὐκ ἀκυροί*) "doth not disannul." The distinction is material, as the Apostle was seeking to prove the Law could not be placed on an equality with the Promise to Abraham, otherwise it would have been abrogated by the Law.

testaments ; for if the Law is placed on equality with the Promise, contradiction is involved, making "the Promise of none effect."

It was not easy to convince the Jew of the relative inferiority of the Law. His imagination had been at work to buttress the cardinal position he assigned to it, and the opinion has been expressed with much probability, that St. Paul's reference to the later origin of the Law was prompted by the fact that, according to Jewish teaching of the day, the Law did not originate with Moses, but had existed even before the Patriarchs, and was observed by them."¹

In dealing with this subject he cut to the quick Jewish pride of race and national conceit, but the demonstration of the secondary importance of the Mosaic Law was necessarily involved in his theology. Not only was it a cause of bitter opposition on the part of the Jew, but it gave rise to questionings and perplexity to Jewish Christians. For he asserted that during the whole range of religious experience from Abraham to Christ,

¹ *Vide* Thackeray's *Law of Moses and Paul*, p. 61. "Adam, it was said, *e.g.*, was circumcised and observed the Sabbath . . . the Book of Jubilees illustrates this tendency. The Jewish feasts, according to that book, were instituted by Abraham and Jacob, and the whole of the Mosaic Cere-
monial was observed by the Patriarchs."

the principle of faith was embedded therein, notwithstanding the divinely given Law of Moses, and that principle had provided the method of man's acceptance with God from the time of its institution with the Patriarch. He introduced the allegory of Hagar and Ishmael to reinforce his argument, by which he would remind his opponents that while Abraham was father of both Isaac and Ishmael, yet from the spiritual standpoint they were sons in a very different sense. Ishmael was a son 'after the flesh,' his birth presenting no feature of Divine intervention, yet far otherwise was the birth of Isaac; it was foretold, it was not in the course of nature and depended on the faith of Abraham. In short it was a birth 'after the Spirit.' The Jew was in full accord so far, but the apostle's conclusion was hateful in the extreme as he proceeded to identify the covenant at Sinai—not with Isaac—but with Hagar and Ishmael, thus tracing the boasted spiritual ancestry of the Jew to 'the bondwoman and her son.'

Now the Pauline doctrine on this subject suggested the questions—the continued validity of the first covenant being asserted by the Apostle—why should not the second maintain its authority too, since it was

equally a Divine ordinance? Did not the fact that the Mosaic Law, instituted 430 years¹ after the Abrahamic covenant, imply that the covenant was superseded by the law? Nor did the opponents neglect to urge that Abraham, upon whose spiritual relations with God the Apostle had founded his argument, was himself circumcised.

St. Paul appeals to the principles which govern the ordinary dealings between man and man. "I speak after the manner of men." By analogy drawn from mere human affairs he discloses the baselessness of such arguments, either against the Law of Faith or in favour of the continuing validity of the Ceremonial Law; for if "a man's covenant" once confirmed is incapable of subsequent alteration, *a fortiori* God's covenant of promise is unalterable.

Considerable perplexity has been occasioned by the New Testament use of the terms 'testament' and 'covenant,' for though they differ so greatly in meaning

¹ The statement above, as to a period of 430 years intervening between Abraham and Moses,—which agrees with the Samaritan Pentateuch and the Septuagint,—has been questioned. According to the Hebrew text of Exodus the interval was considerably longer; even if this was so, it does not affect the Apostle's position, it merely reinforces the argument.

to the modern mind, they are translations of one and the same word '*diatheke*' (διαθήκη) in the original Greek. In the Revised Version the word 'testament' is rejected in favour of 'covenant,' except in Heb. ix. 16 and 17, where it occurs twice, and at ver. 15 the Revisers, realising the difficulty, insert a marginal note, "the Greek word here used signifies both covenant and testament." The original of the term 'covenant' in the Old Testament, is the Hebrew word, '*b'rîth*' (בְּרִית) translated, with two exceptions, in the Septuagint by '*diatheke*.' Another word, '*syntheke*' (συνθήκη), was employed in later versions; but it signified an agreement between two parties conceived as being equals. Accordingly it had been rejected by the writers of the Septuagint, since it was regarded as unsuitable to express the agreement between God and man, where equality was absent. Further, it failed to express the unilateral aspect of God's gracious compact freely made with man. Although *diatheke* scarcely expressed the full meaning of the Hebrew *b'rîth*, it was selected as the "least unsuitable" term.

But soon after the completion of the Septuagint version the practice of making

wills became common amongst the Greeks, and the word employed for such testamentary dispositions was *diatheke*, consequently in New Testament times this term had acquired a twofold signification amongst Greek-speaking Christians who were acquainted with the Septuagint. Hence it becomes important in regard to the Epistles to inquire from an exegetical point of view "what ideas did the word convey to first readers of the New Testament"? The question has been much discussed, and the difficulty is not lessened by the fact that the word is sometimes used to express both significations, namely, 'covenant' and 'testament'; thus (1 Cor. xi. 25), "This cup is the new covenant (margin, 'testament,' R.V.) in My blood," where either sense is equally relevant.

Further, when *diatheke* is employed in the sense of 'will'—a sense only found in the New Testament—two phases of thought are to be discerned, and the distinction depends on the destination of the particular Epistle in which it is employed, or rather the form of will familiar to those addressed. A feature of the Roman as distinguished from the Greek will, was the fact of its being inoperative till the death of the

testator, and revocable during his life; hence the author of the Epistle to the Hebrews, addressing those familiar with the Roman will alone, writes, "For where a testament is, there must of necessity be the death of him that made it. For a testament is of force where there hath been death; for doth it ever avail while he that made it liveth?" (Heb. ix. 16, 17). Thus the writer is able to enforce the necessity for the death of Christ, if the Divine Testament is to be regarded as valid.

On the other hand, the Greek will, Ramsay maintains, was characterised by being an irrevocable instrument (but see note 2, p. 165); hence he insists on the cogency of the analogy in the Epistle to the Galatians, dealing with the Judaistic controversy and illustrating the fact that the Law, as subsequent to the Promise, could not invalidate or supersede the latter.

Some controverted the pre-eminence assigned by St. Paul to Faith because of their opposition to the Apostle himself; others, reflecting on the assumed priority in time of the Mosaic Law to the principle of Faith, honestly doubted whether his doctrine was justified. But whatever the cause of opposition, he vindicates his position by sweep-

ing away the false notion that the Law was prior to the Promise. This he does by reminding his opponents that the promise to Faith had not been set aside but continued to exist all through the ages from Abraham ; nor could it be abrogated by the later ceremonial Law, for the promise to Abraham was complete, and needed nothing to supplement it. It was founded on Faith alone, and the Mosaic Law, four hundred and fifty years after, could have no possible application to the Patriarch. It came in the nature of an innovation, "a parenthesis in the Divine plan." That Faith had continued all through the ages is evident, for "the law came in beside that the trespass might abound";¹ and clearly it was impossible that Mosaism could come "in beside," had the régime of Faith been abolished.

The Judaist sought to place the Law on the same plane with the promise, by insisting that "the inheritance is of the Law." To deal thus with the Law was to make it a continuation of the promise to Abraham, and thereby render the fulfilment of the latter "dependent upon the Law," or on the Law and the promise combined. But St.

¹ Νόμος δὲ παρεισήλθεν, ἵνα πλεονάσῃ τὸ παράπτωμα (Rom. v. 20).

Paul frustrates such attempts to introduce the Law, as a source of blessing, into the sphere of the promise by the unanswerable reminder : “ For if the inheritance is of the law, it is no more of promise : but God hath granted it to Abraham by promise ” (Gal. iii. 18). Thus the rendering of the Revised Version fails to express all the Apostle intended to convey. In the Greek, the word “ God ” is by its position emphatic.¹ Nor does “ hath granted ” adequately indicate his meaning. In the original, the signification is to grant in kindness, to confer freely or lavishly as a gift. Thus he brings out the grand contrast between the promise and the Law, for the latter implies a contract between two parties, and suggests no thought of gracious favour, each being bound to perform his pledges, so “ the man that doeth them shall live in them.” But the promise was conferred on Abraham freely, graciously, unfettered by any undertaking on the part of the recipient. Thus his meaning is—it was God, and no other than Himself, who conferred it on Abraham by way of a free gift, without the pledges which the Law involved.

Nor could the Judaiser discover any support for his opposition to Paulinism in the

¹ τῷ δὲ Ἀβραὰμ δι’ ἐπαγγελίας κεχάρισται ὁ Θεός (Gal. iii. 18).

fact that Abraham received circumcision, for the promise was made to him “not in circumcision, but in uncircumcision”; and the Divine approval of his faith alone, as the medium for acceptable approach to God, was anterior to that rite, which thereby was proved to be merely the seal of the righteousness he had by faith.

To follow the controversy between St. Paul and his opponents might seem a weary task; but his object, in short, was, not to assert a novel religious principle, but to establish the fact that his doctrine of justification by Faith introduced, in essence, no new thing, but existed as a spiritual truth from the age of the Patriarch. His purpose was to manifest the similarity of Abraham’s faith to that by which Christians are justified. For as Christian men have faith in God, “who quickeneth the dead,” and raised up His Son, Jesus Christ; so in a manner did Abraham believe God. For notwithstanding his own and Sarah’s old age, he believed in the power of God,—a power superior to nature, whereby the birth of Isaac could be caused,—which “might be described as a birth from the dead,”—and thus the promise could be fulfilled, “like the stars of heaven, so shall thy descendants

be " (Gen. xv. 5). Nor was this the only instance of his faith. From his call till the close of life he stands as the great exemplar, in Old Testament times, of the life of faith. The lesson of that life admonished all who despised the Pauline doctrine of Justification by Faith, and boasted of privileges founded on the Law of Moses; for "when all this was recorded in Scripture, it was not Abraham alone who was in view, but we too—the future generations of Christians, who will find a like acceptance, as we have a like faith."¹ Thus by means of the figure, "a man's covenant," St. Paul reveals the fact that notwithstanding Jewish denial and remonstrance, progressive revelation—between the age of the Patriarch and the coming of Christ—was not from Mosaism to Faith. It was a progress "from faith to faith," and the transience of the ceremonial Law brought out conspicuously the immutability of the Divine counsel, by the reversion, at the coming of Christ, to the primæval principle, which was the principle of Faith.

¹ Sanday and Headlam's paraphrase of Rom. iv. 23, 24.

CHAPTER X

Twofold meaning of "Galatia"—Ethnographical and political senses—Opposition to Lightfoot's view—North and South Galatian theories—Earlier history of Galatian people—Conquest of Phrygia—Augustus incorporates 'Galatia Proper' in province of Galatia—Alexander's policy in South Galatia—Roman, not Greek, influence paramount in North Galatia—Inference drawn from survival of 'Patria Potestas'—Arguments in support of South Galatian theory based on legal references in Epistle to Galatians—(a) equivalence of sonship and heirship—(b) peculiarity of Greek, as distinguished from Roman, testaments—(c) 'guardians and stewards'—Validity of South Galatian theory not dependent on these legal allusions.

APPEAL has been made to the legal allusions in the Epistle to the Galatians for the purpose of deciding the meaning of the term "Galatians." Commentators have ranged themselves on one or other of two sides in answer to the question, "What Churches were addressed by St. Paul in his Epistle to the Galatians?" Now the term "Galatia"¹ may be used in two senses; it means either the ethnographical region inhabited by the Galatians, comprising an extensive but sparsely peopled region in the north-eastern portion of Asia Minor, and known for

¹ The author of 'Acts' does not use the terms 'Galatia' or 'Galatians.' He employs the adjective 'Galatic' (Acts xvi. 6, xviii. 23).

convenience as "Galatia Proper"; or it may mean the Roman province of Galatia, which included not only Galatia Proper, but extended much further to the south and west, comprising Lycaonia and Pisidia, and reached to within thirty miles of the Mediterranean Sea. That St. Paul addressed his Epistle to the Churches in North Galatia or Galatia Proper was the view of Lightfoot, who is followed by Schmiedel, Lipsius, Weiss, Jülicher, and others. This view is known as the "North Galatian theory." A different conclusion has been drawn by Ramsay, Pfeiderer, O. Holtzmann, and Sanday, who maintain that the Churches of Galatia were situated in the Roman province of Galatia and outside Galatia Proper. Ramsay, the leading champion of this, the "South Galatian theory," has stated that the question is "so fundamental that it affects almost every general inquiry, whether in regard to 'Acts' as a history and as a literary composition, or in regard to Paul's policy and character." Further, so vital, is this question that he has not hesitated to state that had Churches been founded in North Galatia, of which no record exists in "Acts" (and this is required by the North Galatian theory), he could no longer regard

‘Acts’ as having been composed during the first century by a companion of St. Paul. But this question is evidently not of such gravity; for if we assume that the North Galatian theory is true, the only charge which could be brought against the author is simply an omission to relate the founding of the Galatian Churches in its proper place. The veracity of the author cannot be impugned on this ground, for he subsequently mentions the subject. It is difficult to understand Ramsay’s insistence on the extreme importance of this point, for the author makes no mention of the founding of the Church, *e.g.* at Colosse or in Cilicia, or to the journey of St. Paul to Corinth, which may be inferred from several passages in the Second Epistle to the Corinthians. Any one of these omissions might be regarded as equally affecting ‘Acts’ as a history and as a literary composition.

Before we refer to the legal allusions in Galatians, to which appeal has been made with the object of deciding the controversy, it will be needful to consider the earlier history of Galatia. Certain Gallic tribes (Lat. Gallogræci), three in number, whose kindred inhabited Northern Italy and France, invaded Asia Minor in 279–278 B.C. Previ-

ously they had been a scourge, plundering and ravaging the south-eastern portions of Europe, but after invitation from Nicomedes, king of Bithynia, who enlisted their forces against his brother, they crossed into Asia Minor, not, indeed, as mere mercenary troops, but accompanied by their families. After a century passed in irregular warfare, the invaders conquered the native Phrygians, "an agricultural and cattle-herding population of rustics, peaceful and good humoured." The victory of Attalus I., king of Pergamum, in 232 B.C. (*cir.*), overthrew the Gauls, who were then confined to North Eastern Phrygia, which thus gained the name of "Galatia." About 160 B.C. a portion of Lycaonia lying to the south of the Galatic territory,—including Iconium and Lystra,—was incorporated, together with Pessinus, on the north-western frontier, and consolidated with the territory originally seized.

Pompey, in 64 B.C., bestowed Armenia Minor on Deiotarus, who had gained the supremacy over the other two tribes, and he was recognised by Rome as King of Galatia. After his death, Amyntas, his successor, received the title of King of Pisidia from Mark Antony. In 36 B.C., Amyntas' kingdom was enlarged by the transference of

Castor's territories, who had been King of Galatia. The territory thus acquired, he governed on the Roman model. After his death, in 25 B.C., Augustus decided to incorporate the greater portion of Amyntas' kingdom with the Empire: thus the *province* was formed, to which the name "Galatia" ("Galatia Provincia")¹ was given. The inhabitants were termed "Galatæ," in conformity with the Roman custom, which was to designate the inhabitants of a province by some name 'etymologically connected with the name of the province,' irrespective of their race.

In view of the argument based upon the legal reference of St. Paul in the Epistle to the Galatians, it is well to summarize the territorial changes brought about by the Roman power. From 64 B.C., Galatia was a client State of the Empire, but in 25 B.C. it was absorbed in the province in the strict Roman sense of that term, and, with the additions, to which we have above referred, comprised Galatia in the original and narrower sense of the term, together with the ethnic regions

¹ Thus it is necessary to distinguish between 'Galatia' as the name for the territory occupied by the Gallic conquerors, and 'Galatia' the Roman province, a term used in the political sense—roughly half as large again as the former, containing the cities Lystra, Derbe, Iconium, and Pisidian Antioch.

—Pontus Galaticus, Paphlagonia, Phrygia Galatica, and Lycaonia Galatica. All these territories are comprised in the term “province of Galatia,” and were controlled by one Roman governor.

It is probable that in Galatia Proper, Roman influences were paramount, whereas in South Galatia, Alexander’s policy to Hellenise his Asiatic dominions had taken firm root. The geographical configuration of Southern Galatia tended materially to facilitate that policy, which was adopted and carried on by the members of the Seleucid dynasty.¹ One of the great highways which accommodated the traffic and commerce between East and West lay across this part of the country and connected Antioch with Ephesus. The Seleucid kings settled colonies of Jews and Greeks along this route, which developed into cities and became sources of educational influence upon the native population. That influence may be summed up in the words of Ramsay, who states in his *Historical Commentary on the*

¹ The Seleucid dynasty ruled over Syria from 312 B.C. for about two centuries and a half, and takes its name from the founder, Nicator, one of Alexander’s generals, who afterwards became Seleucus I. He sought to carry out Alexander’s policy of spreading Hellenic civilisation throughout his dominions.

Galatians that the inscriptions prove, "before the time of Christ the cities possessed an organised municipal Government of the Greek type, cultivated Greek manners and education, and used the Greek language." The conclusion is therefore drawn that the inhabitants of South Galatia would retain some knowledge of the principles of Greek Law, which had been introduced *before* the date when the country was taken over by the Roman Government.

It is held that a totally different state of affairs obtained in Northern Galatia. There the tide of Hellenism had much less effect than in the South, and the inhabitants retained their Celtic customs till at least the middle of the first century A.D. Ramsay cites Mommsen as authority for the statement, that notwithstanding adoption of the native Phrygian religion by the Galatians, "even in the Roman province of Galatia the internal organisation was predominantly Celtic." The fact to which Gaius refers in his *Institutes*¹ is an allusion to the power of the father—" *jus vitæ necisque* "—over his children. This was a cherished institution, not only of the Romans, but also of the Celts,

¹ "Nec me præterit Galatarum gentem credere in potestate parentum liberos esse" (i. 55).

both in Gaul and Galatia till the reign of Antoninus Pius; but the Greeks regarded the custom with repugnance. The long continuance of such a custom, together with the retention of their national language, leads us to infer that "the Galatians especially constituted a distinct and exclusive stock" (Mitteis), and were characterised by features which would retard the onward march of Hellenism. Ramsay's argument—"as North Galatia grew in civilization it was not Greek, but Roman manners and organizations that were introduced"—is further supported by the relations between Rome and Deiotarus, who was commended for his marked friendship towards the Empire, and honoured by being named 'King of Galatia.' The pronounced friendship of Deiotarus to Rome was equalled, and possibly excelled, by that of Amyntas, hence the strong probability that while Roman customs and organizations would be established and propagated, Hellenic influence would be resisted.

We are now in a position to discuss those arguments in support of the South Galatian theory which Ramsay bases on the references to inheritance, to the will, and to tutelage, occurring in the Epistle to the

Galatians. Speaking generally, Ramsay contends that the people of North Galatia would not be, for the reasons given above, familiar with Greek Law, whereas the contrary would be the case with the inhabitants of South Galatia, amongst whom Hellenic customs and ideas had been implanted by the Seleucid kings.

(a) The first passage to be dealt with in this connection is that referring to the “ sons of Abraham ” (Gal. iii. 7). There was a marked difference between the Roman and Greek law on the subject of inheritance in the time of St. Paul. The ancient law of Rome confined an inheritance to sons and adopted sons, the reason being that in ancient times duties rather than rights were considered to be involved in an inheritance. A prime duty of the heir was to see to the due performance of the ‘ sacra.’ If a man had a son, he was the proper person to fulfil the ‘ sacra.’ If he had no son, he must, by adoption, put some one in the place of a son. So vastly important was this duty of providing for the performance of the ‘ sacra,’ that the ancient law regarded an adopted son as identified with a born son.¹ Since, then, the inheritance was confined to sons

¹ *Vide* p. 68 of this book.

(whether adopted or otherwise), it became possible to invert the idea, and call the 'heir' a 'son,' and *vice versa*. So far as the Roman Law was concerned, the equivalence of the terms "heir" and "son" came to an end long before the age of St. Paul, and a man was at liberty to appoint a person as his heir without adopting the heir as his son. But legal ideas associated with the ancient jurisprudence of Rome were never introduced into North Galatia, for when it passed into the hands of the Roman administration, the legal conceptions of the later and contemporary jurisprudence would replace the native law of the Celts.

On the other hand, the ancient idea of the equivalency of 'son' and 'heir' persisted in South Galatia in consequence of the policy of Hellenization adopted by the Seleucidæ, but was unknown, as we have seen, in North Galatia. Now St. Paul states (in Gal. iii. 7), "Know therefore that they which be of faith, the same are sons of Abraham" (R.V.). According to Ramsay's argument, the words are written for people amongst whom the equivalence of sonship and heirship was a familiar conception, and he paraphrases the passage thus: "All they who inherit that special property of Abraham, namely, Faith,

must be sons of Abraham." Thus the Gentiles may be called the "sons" of Abraham because they are heirs of Abraham, or of Abraham's faith. Ramsay accordingly draws the conclusion that St. Paul was addressing his Epistle to those who were acquainted with Greek law, that is to say, to those who dwelt in South rather than North Galatia.¹

(b) Again, by the testamentary law of Rome in the age of St. Paul, a will was a secret instrument while the testator lived; it took effect at death only, and, moreover, was revocable,—that is to say, it might be superseded by a new act of testation at any time. Accordingly Roman wills at that time were on these points similar to English wills of to-day. But the contrary, according to Ramsay, was the case with the Greek will. He states that it was public, irrevocable,²

¹ Ramsay's treatment of these legal references has been seriously challenged by Prof. Schmiedel (*Ency. Bib.*, col. 1609), who quotes Schulin and others as his authority for stating that as early as 370 B.C. in Athens it was not needful for one appointed an heir to be adopted. Mitteis, too, expresses the opinion that this held good everywhere for the third century B.C., since the testaments of the philosophers, as preserved to us by Diogenes Laertius, certainly are not restricted to the Attic field alone (*Reichsrecht und Volksrecht*, p. 341). This statement is supported by the wills of Greek settlers recently discovered in the Faiyūm. See also D. Walker, *Gift of Tongues*, p. 131 ff.

² Ramsay's argument for the irrevocability of Greek wills

and operated not from the date of the death of the testator, but from the time when the conditions imposed were fulfilled by him who was named as heir. He further states that the particular form of will referred to in the words, "though it be but a man's covenant (testament¹), yet when it hath been confirmed, no one maketh it void, or addeth thereto" (Gal. iii. 15), was the Greek testament as distinguished from the Roman;

fails to convince. Those scholars who have made a special study, not only of Attic, but Greek wills in general, are agreed that Greek Law was on this point similar to Roman Law, *i.e.* that wills were revocable at the testator's pleasure. In the interests of his argument, "to have been able to adduce a single instance in which Greek differed from Roman law in this respect, would have been much more valuable than any number of conjectures; in point of fact, so far as we have been able to discover, it is not possible in the Greek sphere to point to any area, however limited, within which prevailed that irrevocability which Ramsay without qualification speaks of as 'a characteristic feature of Greek law.'" —Schmiedel, *Ency. Bib.*, art. "Galatia."

¹ In this passage "testament" is probably the better rendering; for although "covenant" is to be preferred when *διαθήκη* stands in "strictly Biblical and Hebraic surroundings," here it is possible St. Paul indicates a non-scriptural use by the words, "I speak after the manner of men." "There is ample material," Deissman says (*Light from the Ant. East*, p. 341), to back "me up in the statement that no one in the Mediterranean world in the first century A.D. would have thought of finding in the word *διαθήκη* the idea of 'covenant.' St. Paul would not, and, in fact, did not. To St. Paul the word meant what it meant in his Greek Old Testament, 'a unilateral enactment,' in particular, 'a will or testament,'"

for the conception involved is that "the duly executed will cannot be revoked by the subsequent act of the testator." From this Ramsay draws the conclusion that the Apostle was addressing those familiar with the modified form of the Greek will, and finds in this reference further evidence that the Epistle was addressed to the inhabitants of the South Galatian cities.

(c) Additional confirmation of the South Galatian theory is found—according to Ramsay—in another passage from the Epistle to the Galatians, namely, iv. 2, referring to "guardians and stewards." Roman Law provided for the guardianship of persons (males) under the age of fourteen, by authorising the head of the family to nominate guardians by his will for this purpose. They were termed 'tutors.' But as this period of guardianship was frequently unequal to the general purposes of convenience, the introduction of "curators" sprang up to secure the due supervision of a ward till the age of twenty-five. The 'curator' was not appointed by a will, but by the Prætor or Præses—the governor of a province—as the case might be. Thus in Roman Law there were two distinct forms of guardianship.

In the pure Greek Law there was only one kind of guardian (*ἐπίτροπος*); this is the first of the terms employed in Gal. iv. 2, and Ramsay asserts it is equivalent to the 'tutor' of Roman Law. There is no mention in the pure form of Greek Law of the 'steward' (*οἰκονόμος*). But Ramsay contends that St. Paul's reference here is not to pure Greek Law, but to a form of it, modified by contact with Oriental notions. He considers that the peculiarities of this modified Greek Law are recorded in the 'Græco-Syrian Law Book,' edited by Bruns and Sachau, "whereby a father may make a twofold nomination (not only of 'guardians,' but also 'stewards') for his children who are minors, *i.e.* under the age of twenty-five years. This, he asserts, is the peculiar condition referred to by St. Paul (Gal. iv. 2), and is a further proof that here "we are placed amid Selucid, and therefore South Galatian, not among North Galatian, manners and customs."¹

It does not follow, even if Ramsay's interpretation of these legal allusions fails to stand the test of criticism,² that therefore

¹ *Hist. Com. on Epist. to Galatians*, p. 393.

² St. Paul describes a double form of guardianship; in this he agrees with the Roman practice, but differs from it in

the South Galatian theory is falsified, as that is only one line of evidence in its support. Other arguments for it have been adduced from Acts and from the Pauline Epistles. Thus 1 Cor. xvi. 1: "Concerning the collection for the saints, as I gave order unto the Churches of Galatia, so also do ye." If St. Paul here refers to Galatia Proper, how are we to account for his remarkable omission to make a demand for "collection for the saints" from the Lycaonian and Pisidian Churches situate in South Galatia? These Churches were dear to him, and had been visited by him on several occasions. His desire was to foster a holy rivalry in the work of love, and it is difficult to accept a theory whereby the conclusion seems unavoidable that he gave no opportunity to those Churches to take their part with the Churches of Macedonia, Achaia, and Galatia in his plan for the relief of the brethren in Jerusalem. The

regard to the father's power to appoint *both* offices. Was St. Paul employing the technical ideas of Roman or Greek Law for illustration, or only referring in general terms to the subject? Ramsay argues that the difficulty supplies another factor in support of the South Galatian theory, as St. Paul is not drawing his illustrations either from Roman or pure Greek Law, but from the older Greek Law enacted by the Seleucid rulers in South Galatia. The argument is not convincing. See Schmiedel, *Ency. Bib.*, col. 1610.

evidence furnished by this matter of the "collection for the saints" is weighty, for it is no passing allusion that is made. St. Paul had made a solemn promise at Jerusalem, as related in Gal. ii. 10: "They would that we should remember the poor; which very thing I was also zealous to do"; and he frequently refers to this collection. "To the Corinthians he proposes the example of the Galatians; to the Macedonians the example of the Corinthians; to the Romans that of the Macedonians and Corinthians" (Bengel).

Again, Barnabas is mentioned without any introductory statement in Gal. ii., and was evidently known to the Galatians as the champion of the Gentiles. We are aware (Acts xv. 36-40) that he accompanied St. Paul on his first journey, and was not with him during his second visit, when, according to the older theory, the Galatians were first evangelised. Further, it appears to have been St. Paul's plan to visit Bithynia (Acts xvi. 6); but if it was a part of the plan to visit Galatia Proper, then the statement, "Ye know that because of an infirmity of the flesh I preached the gospel unto you the first time" (Gal. iv. 13), becomes unintelligible. Space forbids reference to other passages which

have been quoted from the Pauline Epistles in support of the South Galatian theory.

One may well hesitate to pronounce definitely either way in regard to these conflicting theories, since both find support from the ablest scholars. But we must recollect that Lightfoot—whose name is most prominently associated with the older theory—was handicapped by the comparative ignorance which, in his day, prevailed on the subject of Asia Minor; and also by the fact that the arguments for the rival theory were as yet more or less incomplete;¹ but taken as a whole the balance of argument seems to be adverse to Lightfoot's view, namely, that St. Paul founded Churches in Galatia in the ethnological sense, that is to say, in Galatia Proper. This conclusion is supported by the policy of St. Paul, which, as Ramsay states, was to Christianize the Roman Empire, passing along the Roman highways guided by the political divisions of the Roman Provinces, working mainly in the towns, the centres of Roman government. The other and older theory

¹ It is a significant fact that Bishop Westcott rejected the older theory. Canon Westcott informs the author that this change of view occurred about the end of 1900, *i.e.* when the arguments for the S. Galatian theory had been more fully developed,

requires us to believe that the Epistle to the Galatians was addressed to a few scattered congregations in a wide and sparsely-peopled district, whose members were engaged in agricultural pursuits; on the other hand, the South Galatian theory conforms to the Pauline policy by denoting the Galatian Churches as Pisidian Antioch, Iconium, Derbe and Lystra, a group of towns within easy access of each other, and probably peopled by comparatively educated inhabitants. Moreover, the natural route for St. Paul on his second missionary journey would be through South Galatia; and if the theory which this involves is adopted, it is found to harmonize in a striking manner with incidental references in the Pauline Epistles.

In view of Professor Schmiedel's convincing arguments against the conclusions drawn by Ramsay from these legal references, it might appear that the newer theory is seriously imperilled; but this by no means follows, as it is supported by strong evidence of an entirely different kind. On the whole, the balance of argument seems to be adverse to the older theory, namely, that St. Paul founded Churches in Galatia in the ethnological sense, that is to say, in Galatia Proper.

CHAPTER XI

Roman rule bequeathed conceptions favourable to growth of Papacy—Centralization of secular powers in person of Emperor prompted idea of concentration of spiritual power—The moral ascendancy of Church of Rome during first three centuries—Influence of Greek Church predominant during this period—Subsequently Latin Church free to develop on own lines—Latin introduced into liturgy—Division between East and West thereby accentuated—Problems engaging attention of Greek and Latin Churches different—Latin theology coloured by native legal genius—God represented as an offended Judge—Mediating offices of the Church regarded as indispensable—Freedom of thought not encouraged—A standard faith prescribed—Obedience to the Church the all-embracing ideal of duty—Cost of attaining an external unity—Reason for Roman partiality for tradition—Augustine as author of conceptions prevailing in Middle Ages.

AN attempt has been made in the preceding chapters to indicate certain conceptions which, generated by Roman rule and legislation, contributed in no small degree to facilitate St. Paul's mission. We must not, however, imagine that, having once exerted their influence, they had thereby lost all vitality. The introduction of Christianity

on the stage of history did not blind men to the debt owed to the Roman power,¹ whereby nations most widely separated, whether by geographical or ethnic causes, had been brought into a common political brotherhood and into allegiance to the common power of Rome,—a power which they realized meant to give, and on the whole did administer, justice to all alike. Centuries of Roman rule preceding the introduction of Christianity had created a mental attitude which subsequently proved to be favourable to the growth and supremacy of the Papacy, which “fell heir to the old Roman genius for conquest and discipline.” It was the acumen of the leaders of the Latin Church that detected the possibility of utilizing, for her own aggrandisement, these political notions and influences bequeathed to the world by the Roman State. Such notions were an intense esteem for order, a predilection for centralized authority and

¹ Early Christians regarded Rome as the great protecting power in the world (ὁ κατέχων), and looked on the coming of Antichrist as its only termination. Even in the midst of persecution, decreed by Rome, Christian prayer on her behalf continued. The words—ascribed to Hilary the Deacon—reflect the prevailing view, ‘Non prius veniet Dominus quam regni Romani defectio fiat, et appareat Antichristus qui interficiet sanctos, reddita Romanis libertate, sub suo tamen nomine.’

obedience to government. These ideas persisted and became important adjuncts to the policy of the Roman Church. They attained their maximum influence over the minds of men from the sixth to the ninth centuries, when "the work of converting the new races to the recognition and obedience of the Church went on with unabated and successful ardour, resembling nothing so much as that earlier process of conquest by which the city of Rome made herself mistress of the nations."¹ Therefore to estimate correctly the causes of the divergence of the Church of Rome from the primitive Gospel, it is not sufficient merely to examine the perversion of spiritual principles of Christianity at Rome, but we must carry our minds further back so as to embrace prevailing ideas, to which we have above referred. Apart from these prevailing ideas, and their perverted use by the Romish Church, the Papacy would have been impossible. Their normal office in the secular sphere was beneficial to good government, but transferred to another sphere—the spiritual—the final issue was an unbearable ecclesiastical tyranny. They subsequently became the means of thwarting

¹ Allen, *Continuity of Christian Thought*, p. 185.

the dissemination of the truths which formed the foundation of the Pauline teaching.

These conceptions did not then become extinct, but their direction was changed. For the minds of men, habituated to the centralization of authority in the hands of one man, the Emperor, turned by a kind of instinct to the conception of a centralization of spiritual power in the person of the Bishop of Rome. Concentration of secular power had been followed in the past by benefits which appealed to all, and had won the admiration of the civilized world. Men could see no reason why similar benefits should not flow from the supremacy of one in the spiritual sphere. In the early centuries of Christianity the Church of Rome claimed nothing more than a moral ascendancy over other Churches, which was but a "precedence among equals." By the middle of the fourth century, signs were not wanting that this honourable position had ceased to satisfy, and soon evidences were multiplied that the Church of Rome aspired to an absolute and supreme authority. That policy furnishes a long and melancholy history of unwarrantable presumption, of duplicity and intrigue, the details of which would occupy many

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volumes, so that here only the more important features can be outlined.

The political division of the Empire into its Eastern and Western parts in 326 A.D. by Constantine, had far-reaching results, for it was followed by separation in the Church. So long as the Churches of the East and West were united, the influence of the former was pre-eminent in theological thought and discussion; moreover, its theology was characterized by a remarkable spirituality and a continual appeal to reason. That influence might have exercised some restraining influence in the West, but when once its possible control terminated, the Latin Church was free to develop on lines consonant with her national genius. The liberal and beneficent influence of the Eastern Church, resulting from the combination of Greek philosophy and Christian thought, was now withdrawn, and Roman Law became a paramount actor in Western theology. The disruption was emphasized by the fact, that while the Churches in the East continued the use of Greek, the Latin tongue was employed in the West, and by the end of the third century had superseded the former.¹ But the difference in language

¹ Till about the middle of the third century, Greek was, in

was not the only contrast in the resulting communities, they were further distinguished by marked differences in doctrine, differences which have continued to characterise them till the present day.

For, till the separation, Western Christianity had been content to accept the only available stock of terms and ideas contained in the language of Greek metaphysics, "out of which the human mind could provide itself with means of engaging in the profound controversies as to the Divine persons, the Divine Substance, and the Divine Natures."¹ To formulate such abstruse conceptions was a task beyond the capacity of the Latin language and its scanty philosophy, consequently the results of Eastern theology were appropriated by Latin-speaking Christians without debate.

the main, the language of the populace, and probably of the Roman liturgy too. Old Latin versions of the Scriptures had, indeed, been in circulation long before Jerome's version (the Vulgate), but the third century witnessed the general introduction of Latin, now no longer restricted to legal and official use. But as fossils embedded in strata testify to former conditions of life—such remains as the *Kyrie eleison*, the *Trisagion*, the *Apostles' Creed* (Greek), remind us of the part played by the Greek language in the Roman Church. Tertullian, Cyprian, and Novatian were the primary creators of Latin theology. Leo I. (*ob.* 461) was the earliest Latin preacher of note at Rome.

¹ Maine, *Anc. Law*, p. 356.

Maine, quoting Milman's *Latin Christianity*, observes that after the division was established, and while "the Greek theology went on defining with still more exquisite subtlety the Godhead and the nature of Christ—and while the interminable controversy still lengthened out—the Western Church threw itself with passionate ardour into a new order of disputes, the same which from those days to this have never lost their interest for any family of mankind at any time included in the Latin communion. The nature of Sin and its transmission by inheritance—the debt owed by man and its various satisfaction—the necessity and sufficiency of the Atonement—above all, the apparent antagonism between Free-will and the Divine Providence,—these were the points which the West began to debate as ardently as ever the East had discussed the articles of its more special creed."¹

Accordingly we find that the legal genius of the Latins coloured their theology, and a characteristic of the Latin world has been a readiness to legalize the language of Scripture by casting such theological conceptions as atonement, moral obligation, and freewill

¹ *Anc. Law*, p. 357.

in a forensic mould. This predilection has been an important factor in giving to the conceptions of Western Christianity a character of their own. Nor is this a matter for surprise; for, as the author just quoted observes, "to the cultivated citizen of Africa, of Spain, of Gaul and Northern Italy, it was jurisprudence, and jurisprudence only, which stood in the place of poetry and history, of philosophy and science. So far, then, from there being anything mysterious in the palpably legal complexion of the earliest efforts of Western thought, it would rather be astonishing if it had assumed any other hue."¹

The whole trend of Latin thought accelerated the development of a theology which accentuated the view of God as an offended Judge withdrawn from humanity; nor is it too much to say that the policy of the Roman Church was to augment the sense of separation between God and man. That idea, once implanted, was sedulously fostered, till at length the mediating offices of the Church were regarded as indispensable for the soul's approach to God. The functions of the Church were made to replace the work of the Holy Spirit: the hierarchy became the sole

¹ P. 342.

channel of grace : the Church ascribed for herself a definite limit outside which there was no salvation ; reconciliation with God was only possible by means of the penances prescribed by the Church and the absolution of the priest. The conception of a priest caste arose, whose authority was independent of the body of Christians who formed the Church, and the members of the caste were, in virtue of their office, regarded as inheritors of those promises made by Christ to His apostles.

The features which characterised the theology of the Western or Roman Church, and have continued to characterise it till the present day, were a tendency to repress inquiry which savoured of speculation in theology, and for which, as we have seen, it possessed little faculty. The faith, moreover, that attracted was one expressed in precise terms, excluding all debatable elements and moulded after the manner of a legal code, any divergence from which might be detected with facility by the officials of the Church.

The faith propagated by the Roman Church was therefore in the nature of a standard to which men must subscribe, for anything in the nature of liberality of

opinion, freedom of thought, or akin to the modern spirit of Protestantism, aroused strong antipathy.¹ The treatment meted out by her to those charged with divergence of theological opinion from her standard, illustrates this attitude. Whatever might be said of the divergence from the standard faith, the ground of condemnation was that persons were to be found sufficiently bold to question or controvert the principles laid down by her authority, and thus imperil the Church's unity. "The new priestly state was as omnipotent as the old heathen state, in the sense of claiming final authority over every relation of life and allowing no reserved domain of conscience. More and more, from age to age, Rome set forth obedience to the Church as the all-embracing ideal of duty, and summed up all sin in the crime of disobedience."² By such methods did the Latin Church attain an external oneness; but it was at the sacrifice of the simplicity of the Gospel, and fatally different

¹ Even Augustine, who gave freer play to reason in his writings than, perhaps, any other writer of the times, says, "Si ergo invenires aliquem, qui Evangelio nondum credit, quid faceres dicenti tibi, Non credo? Ego vero evangelio non crederem, nisi me catholicæ Ecclesiæ commoveret auctoritas."—*Contra Epist. Manich.* cap. v.

² Gwatkin, *Early Ideals of Righteousness*, p. 84.

from that deeper, vital, and spiritual unity which Christ desired when He prayed "that they all may be one."

We now turn to consider in fuller detail some of the methods employed by the Roman Church in order to secure and fortify that external unity upon which such great importance was laid. Tradition was declared to be part of the deposit of the faith, and to have "a use collateral to Scripture" (Newman); thus providing a sufficient basis, not only for the claim to unity, but also for supremacy. By introducing principles which are not laid down in Holy Scripture, "or may be proved thereby," unity was gained; but a unity which imported the gravest spiritual dangers, because merely external. It is not difficult to understand the partiality for tradition which has characterised the Latin Church, for there was to be found a very storehouse of 'truth and discipline,' from which she might supplement her teaching concerning matters vital to a policy for which no warrant could be found in Holy Scripture. We can here only briefly trace the manner in which the supersession of the Holy Scriptures, as the supreme authority, was brought about by the place assigned to tradition in the Latin Church. Irenæus,

in controversy with the Gnostics, insisted on the validity of the 'deposit' of the faith as handed down in the Church's official tradition. While admitting there might be other examples, he instanced the Roman Church as one which safely preserved the apostolic tradition. To him the surety for its preservation depended on the fact that the faithful, who from time to time resorted thither, as the centre, from all parts of the world, would detect any deviation from that tradition;¹ thus, in effect, constituting the doctrine of the Church of Rome as the standard for all. The result of this contention was furthered by Tertullian, especially in his *De præscriptionibus hæreticorum*. Before his conversion to Christianity he had been a Roman jurist, and therefore it is not surprising that he defends the authority of tradition from a lawyer's point of view, and argues thus: The Church's doctrine may be compared to a man's property, in the ownership of which he becomes assured by length of possession or prescriptive holding. He had no sympathy with the

¹ "Ad hanc enim ecclesiam propter potio-rem principalitatem necesse est omnem convenire ecclesiam, hoc est eos qui sunt undique fideles, in qua semper ab his qui sunt undique conservata est ea quæ est ab apostolis traditio" (iii. 3, 2, *Adv. Hæreses*).

spirit of inquiry, and urged that the truth is a certain fixed and unquestionable reality, the search for which is only to be maintained till it is discovered, when all further inquiry ought to cease. Thus he writes: "We who believe in Christ need ask no further questions, for we believe that there is nothing further which we ought to believe. 'Seek, and ye shall find,' was spoken only to the Jews: and in any case we who have found the truth cannot seek further, without confessing that we have lost it." He endeavours to fortify this position by adding the parable of the lost piece of silver; when the quest was successful, there was no object to be gained by maintaining the search. With arguments such as these would he stifle the spirit of inquiry, which might be tempted to examine too closely into the 'deposit of the faith' committed to the Church. The importance of the treatise rests on the assumption, by its author, that the Church continued to hold and teach in its entirety the doctrine received by the apostles from the great Head of the Church. Tertullian's assumption was, till a recent date, employed by the Latin Church to reinforce the claim on behalf of tradition, and though contradicted by history, it was maintained on the

plea that the Church is the 'supreme interpreter of history.'

But it was to Augustine, more than any of his predecessors, that the conception of the Church, as maintained during the Middle Ages, is due. Doubtless it may appear strange to affirm that one whose teachings constitute a very fountain from which flows a stream of evangelic truth, is in large measure the author of mediæval misconception; nevertheless it was he who rendered possible that development of the Latin Church resulting in the Papal system. His great work, the *City of God*, is based on the conception of the Christian Church as an ecclesiastical polity, founded on the ruins of the declining Roman Empire. He grounded the claim for the Church's right to teach on the fact that she had received the 'deposit' of truth which she was empowered to protect as a guardian, and maintained that outside the Church neither truth nor salvation was to be found. An attitude such as this admitted little room for the exercise of reason; and since the Church was a Divine appointment, consequently it was God's will that its portals provided the only means of entrance to His favour. He would even employ force, and sought to justify appeal

to physical means by reference to Christ's words in the parable, "compel them to come in." Subsequent leaders of theological thought only carried on and developed the ideas latent in the system of Augustine.¹

There are many who regard Augustine as in all respects a worthy successor of St. Paul, one whose authority and influence are unimpeachable; but notwithstanding that widely prevalent opinion, there are aspects of his teaching, more particularly in regard to the Church's policy, which justify the assertion that it was his theology which made the rise of the Papacy possible,² and "for a thousand years those also who came after him did little more than re-affirm his teaching."

It is indeed difficult to reconcile Augustine's pre-eminent position as a spiritual

¹ "The entire political development of the Middle Ages was dominated by him; and he was in a true sense the creator of the Holy Roman Empire. It was no accident that the *De Civitate Dei* was the favourite reading of Charlemagne."—Warfield, *Ency. Religion and Ethics*, vol. ii. p. 222.

² Concerning the Bishop of Rome as the official head of the "City of God," it is to be observed that Augustine did not make the claim in so many words, but the trend of his thought is clear, "Jam enim de hac causa duo concilia missa sunt ad Sedem Apostolicam: inde etiam rescripta venerunt. Causa finita est: utinam aliquando finiatur error."—*Sermo cxxxi. cap. x.*

teacher with the fact that he assigned to the merely external and visible Church a place of surpassing significance, rigidly insisting that outside the Church there was no salvation, for elsewhere no channel of grace for the individual was to be discovered ; thereby involving a manifest retrogression from the primitive simplicity of the Gospel of Christ. It is, however, possible that some explanation for his attitude may be discovered in the peculiar exigencies of the times. The Roman Empire was approaching dissolution through the influx of the northern barbarians, and the Church found all her energies taxed to the utmost to bring rude pagan tribes within her fold. These were men to whom a spiritual law of Christian liberty would have been a contradiction or an enigma, whose notions of rule and order were closely associated with the tyranny of the times, and when the persuasion that 'might is right' was seldom challenged.

Independent judgment—based on reason and stimulated by the intellectual ability of leaders in thought—found small place for exercise in such an age ; recourse was accordingly made to the external authority of the State, claimed by Augustine for the Church, and obedience was enforced on the

ground of penal consequences hereafter. That, at least, had the merit of promising an effective appeal for obedience to the unreflecting masses who crowded within the portals of the Church.

CHAPTER XII

The Imperial government adopted as a model by the Church—This method of ecclesiastical government opposed by Cyprian—The ‘precedence among equals’ no longer based on moral considerations—Authority, not concession, the ground for a new claim—Protest of Julius, bishop of Rome—Appellate jurisdiction—Independence of the African Church vindicated in case of Apiarius—Civil power enlisted in support of Roman claim to appellate jurisdiction—Decree of Valentinian III.—Exigencies arising from invasion of Rome, an aid to papal ambitions—Results following Emperor’s withdrawal from Rome—The Constantine Donation—Benefits conferred by Church of Rome in early centuries.

THE study of the methods employed by the Roman Church to attain supremacy cannot fail to impress the mind with a sense of the remarkable skill displayed by those who took advantage of every external cause to compass that end. “Spiritual ideals and motives of human infirmity, spiritual forces and unscrupulous worldly methods, have combined to build up little by little the great fabric of papal claims.”¹ Just as Judaism prepared the way for the progress

¹ Robertson, No. xiii. *Ch. Hist. Society Papers*.

of Christianity, but subsequently became a hindrance to the proclamation of the liberty of the Gospel, so in a measure was it the case with the Roman Law and administration. The aid furnished in the days of St. Paul is undeniable, but the spiritual development of the Church began to be retarded from the time she took the State as the model for her own government. The progress of events gave shape and impetus to the notion that the ecclesiastical government of the Church should conform to the Imperial administration. Many arguments were forthcoming in support of the theory, since the speedy attainment of wide-spread power, resulting from the amazing progress of Christianity, found the Church unprepared and embarrassed by the far-reaching scope of her influence and conquests over heathenism. In her perplexity she turned, and found ready to her hand the model furnished by the State. A dominant idea, as we have already observed, prevailed in the political world, that authority embodied in one man, the Emperor, promised the greatest good to the subject; hence the decision of the Roman Senate to delegate its powers to the Emperor. By parity of reasoning it was claimed that a similar

delegation of the powers inherent in the representatives of the various Churches would afford a correspondingly beneficial method of government in the Church at large, by bringing the whole hierarchy of an ecclesiastical empire into subjection to the jurisdiction of the Bishop of Rome.

This, the Roman theory, was strongly opposed by Cyprian, bishop of Carthage, in the treatise, *De catholicæ ecclesiæ unitate*, in which he maintained the equality of the Bishops, together with a common responsibility for the welfare of the Church at large.¹ The history of the growth of the papal supremacy may be briefly summed up in the statement that it consisted in a series of endeavours to encroach upon the earlier theory of Cyprian,² and bring the conception of the authority and pre-eminence of the Bishop of Rome into line with that of the political head of the Empire.

This was the grand aim of the Latin Church,

¹ Cyprian's attitude in this matter is important; he maintained his right to decide in the appeal to him from the Spanish Churches, though Stephen, bishop of Rome, had already given judgment on the case. At the Council of 254 he reversed Stephen's decision.

² *Episcopatus unus est, cuius a singulis in solidum pars tenetur* (cap. 5).

and amidst all the vicissitudes which lay in the path of its attainment, we can observe from the time of Leo the Great, a constant approach towards that consummation, when the Bishop of Rome could take to himself with some show of reason the proud title 'episcopus episcoporum.' Thus the spirit of the times and the genius of the Latin people, as we have seen in the preceding chapter, contributed to the formation of a mental atmosphere favourable to the Roman theory. A kingdom without a visible head was unthinkable to the Latin mind, so the Church, too, "must have a visible centre and a visible circumference: the terms of admittance and of exclusion must be exactly defined; the nature of the powers delegated to its officers must be explicitly determined, there must be conformity of practice and conformity of opinion as well; there must be stringent methods of securing obedience and subordination."¹

During the first three centuries we find that 'a precedence among equals' was willingly conceded by the national Churches to the Roman See,² but in the fourth century

¹ Allen, *The Continuity of Christian Thought*, p. 103.

² The spiritual conception of the episcopate, which had prevailed during the first three centuries, began to be

this moral ascendancy, no longer claimed as a concession, was demanded on the ground of *authority*; a claim which received a new reinforcement with every fresh surrender of the native rights of provincial Synods. The development of the papal system, beyond the original and legitimate precedence among equals, proceeded gradually—appeal was made to the Gospels for support for the fiction of the primacy of St. Peter, and was zealously inculcated, involving as it did a claim for the Bishop of Rome to govern the universal Church by Divine right. “The application of the text, ‘Thou art Peter, and upon this rock I will build My church,’ to the Roman See is of purely Western origin, and we find it beginning to be made as soon as the belief has gained currency that St. Peter had been, in the strict sense of the word, Bishop of Rome. The second century, as I believe, bequeathed this belief to the Church, and the first attribution of the Petrine office to the Roman bishop was the work of the third.”¹ The genesis of such conceptions can thus be

obscured by another conception—the official—as the organisation of the Church proceeded and developed into the system of Church government.

¹ Robertson, *Ch. Hist. Society Papers*, No. xiii. p. 207.

clearly traced to the experience of centuries of Roman Law and administration; but the end was attained when the spiritual Headship of the ascended Saviour was replaced by him who, at Rome, made the extravagant and unwarrantable claim to be the visible representative of Christ on earth.

To relate the history of this movement in all its aspects, would be to write the history of the Church of Rome; we are here concerned more particularly with conceptions borrowed from the policy of Imperial Rome, and subsequently moulded so as to be a powerful aid to the attainment of that object, essential to the Roman system, namely, the Supremacy. Evidence that the authority of the Bishop of Rome was, till about the year 342, only of a moral character, is convincing. Julius, bishop of Rome from 337 to 352, replying to an accusation brought against him by the Arians—that he had by his own judgment set aside certain decisions adopted by them—makes no assertion of any inherent right pertaining to his office whereby he might claim a supreme jurisdiction over other Churches. Had such right existed, this was the time for its assertion. Far from that, he admonished them for not having brought

the question to the notice of the Church at large, and thus stated his own opinion: "You ought to have written to *all* of us, so that we might all have decided what was just." This pronouncement was no assertion of supremacy, but a protest against the exclusion of the Roman See from the deliberations of the Church as a whole. The protest would have been meaningless had the Roman supremacy been established at this time.

During the lifetime of Julius, *appellate* jurisdiction of a very restricted kind was conferred upon him by the Canons of Sardica¹ (343). These Canons only authorised him to express an opinion whether a case ought to be re-tried. Besides, the right was distinctly limited to the case of *bishops* who felt they had been unjustly condemned by the local tribunals. If he thought so, he was empowered to send a presbyter to take part in another trial of the case by bishops from a neighbouring province.

¹ It is to be noted that the Sardican Canons did not confer appellate jurisdiction on the Bishop of Rome as such, nor on Julius, as successor of St. Peter. Further, the Council of Sardica was not General and Œcumenical, and its Canons, which asserted authority, were contradicted by many Greek Canons.

The importance of the Canons of Sardica rests upon the fact that no longer was it necessary to found a claim for interference by the Bishop of Rome on merely moral grounds as heretofore, they asserted a new authority of a very limited character, however, neither empowering the right to demand jurisdiction in every case, nor to take the initiative and cite a provincial bishop to Rome. Nevertheless the Bishops of Rome were emboldened to go beyond that strictly limited authority defined by the Sardican Canons, and adjudicate in every case of appeal to them. This claim was not relaxed in any way by the succeeding bishops, Liberius and Damasus I. The "authoritative tone" of their successor Siricius was more marked, for "the Roman See had never taken a step backward; the persevering repetition of the claim to legislate told in the course of time, and the series of decretals initiated by Siricius eventually worked their way into the Canon Law of Western Christendom."¹

But signs of encroachment on the acknowledged "precedence among equals" were not passed over in silence, interferences were resisted by other Churches, which did not

¹ Robertson, *Ch. Hist. Society Papers*, p. 251.

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hesitate to repudiate or denounce the pretension. The African Church, for example, vindicated its complete independence in connection with the case of Apiarius, a *presbyter*, who had been justly deposed by the local bishop, Urbanus, for misconduct. Apiarius appealed to Zosimus, bishop of Rome, who, professing to base his authority for action on the "Canons of Nicæa," reinstated the *presbyter*. The dispute did not terminate during the lifetime of Zosimus (*ob.* 418) nor that of his successor, Bonifacius (*ob.* 422). Celestine, the succeeding bishop, subsequently, at the instance of Apiarius, sent legates to Africa to examine the case, when a Council was convened to discuss the matter.

The decision of the African Church is noteworthy for two reasons. 1. A direct denial was given to the claim put forward by the legates on behalf of Celestine, and a protest was lodged against appeals to ecclesiastical authorities other than those provided by the native Church. To this was coupled the request that legates should not be sent from Rome, nor persons received there, who had been excommunicated by Synodical authority. 2. A subject of more importance arose out of the repudiation

by the African Church of the ground on which Celestine based his claim to interfere. The legates sent by him sought to represent that the *Nicene* Canons gave the required authority for the appellate jurisdiction claimed by Rome. But it was discovered that genuine copies of the Nicene Canons, upon which the legates proposed to rely, gave no support to the Roman claim; and, further, that the copy of the so-called 'Nicene Canons' cited by the legates contained the Canons of Sardica, which were formulated in 347, twenty-two years after the Council of Nicæa. Celestine and those who subsequently supported his action maintained that the Canons of Nicæa and Sardica were to be read together, notwithstanding the fact that the former was, and the latter was not, a General Council; nor did its canons receive universal acceptance. Further, the Canons of Nicæa only amounted to twenty in number, and those of Sardica to twenty-one; nevertheless the *Codex Canonum et Constitutorum Ecclesiæ Romanæ*, which purports to contain a collection of the Canons of the Roman Church in the time of Innocent I., specifies forty-six. Consequently five are spurious. Further evidence is supplied in the second

Canon of the General Council held in the year 381 at Constantinople. This enjoined that no bishop shall interfere with churches outside his own diocese; and the prohibition reveals the growing insistence of the Roman See.

The ambition of the Roman See for supremacy had now attained such proportions that artifices of the kind to which we have just referred, and for which no moral defence can be found, began to be employed in furtherance of the unwarrantable claim to authority. The work of falsification and interpolation of documents proceeded apace—though the date for its commencement is uncertain. These documents, afterwards conclusively proved to be forgeries, the Popes never repudiated. They have been incorporated into the Canon Law of the Roman Church and form its basis. But falsification of documents and misuse of canons were not the only methods employed—other means were not overlooked. Thus we find the civil power of Rome enlisted on behalf of the claim; for in the year 445 appellate jurisdiction was confirmed to the See of Rome in virtue of the Roman Law. Opportunity for this intervention by the secular power was furnished by the action of Hilary,

bishop of Arles, who ventured to assert Metropolitan rights over Vienne by superseding one bishop and removing another. Pope Leo then deprived Hilary of his rights as Metropolitan and reinstated the deposed bishop. This action was confirmed by the Emperor, who promulgated the following law : " We decree, by a perpetual sanction, that nothing shall be undertaken contrary to ancient custom by the Gallican or other Provincial bishops, without the authority of the venerable Pope of the eternal city. But whatever the authority of the Apostolic Chair appoints shall be law to them and to all,¹ so that if any bishop when summoned shall neglect to appear before the Court of Justice of the Roman Bishop, he shall be compelled to come by the Governor of the province." This alliance between the civil and the ecclesiastical powers culminated, firstly, in the principle that the Church of Christ was to be upheld by the arm of the State; and, secondly, in the claim for the possession by the Pope of a superiority over the Emperor, who, it was asserted by

¹ Referring to the bishops of Gaul and of other provinces, the Emperor, Valentinian III., decreed : " Sed illis omnibusque pro lege sit, quicquid sanxit vel sanxerit apostolicæ sedis auctoritas."

Gelasius, "is the temporal sovereign, but the Bishop of Rome is the spiritual sovereign of the world."¹ That claim was "never afterwards relaxed, and it saw its realisation in the Imperial authority over Christendom of Hildebrand and Innocent III."

Another factor contributing to the Roman supremacy of which we must not lose sight, was the political necessities of the times. While the influence of the Emperor grew weaker and the area of the Empire more circumscribed by the advance of the northern tribes, there was one power, the ecclesiastical hierarchy, which stood superior to the flood of conquest. Men began to realise as never before the importance of the Church to the State, a conception which the Papacy employed to the fullest extent for the attainment of its designs. The victorious barbarians recognised that the Church, with its widely spread machinery of ecclesiastical officials, was in the nature of an intermediary, whose assistance was essential if the allegiance of the conquered provinces

¹ Thus Dante, *Purg.* (Canto xvi. 129-132), writes:

" The Church of Rome,
Mixing two governments that ill assort,
Hath miss'd her footing, fallen in the mire,
And there herself and burden much defiled,"

—H. F. Carey's translation.

was to be retained. Thus, so far from the exigencies of the times being a hindrance to the ambitions of the Popes, they but prepared the way to the assertion of "the spiritual sovereignty of the world" which at length enabled Gregory VII. to assert his right "to dispose princes." He excommunicated the Emperor Henry IV. and released his subjects from their allegiance: "I deny," he pronounced sentence, "to Henry, the government of the whole realm of Germany and Italy, and release all Christians from the bond of the oath which they have made or will make to him, and forbid any one to serve him as if he were a king." The Emperor made his way across the Alps to the Castle of Canossa to make peace with Gregory, who refused for three days to admit him to his presence, while the royal suppliant stood barefoot in the snow.

A great advance towards the supremacy took place during the latter part of the fifth century. In 476 A.D., the Emperor Romulus Augustus was deposed by Odoacer, and Rome was exchanged for Constantinople as the political capital of the Empire. Thus the Papacy, "inheriting no small part of the local authority, which belonged to the Emperor's officers, drew to herself the rever-

ence which the name of the city still commanded, until, in the days which followed her emancipation from the control of the Emperors at Constantinople, she had perfected in theory a scheme which made her the exact counterpart of the departed despotism, the centre of the hierarchy, absolute mistress of the Christian world.”¹

Soon the scheme for the attainment of the predominant papal aim took shape in the production of the marvellous forgery known as the Constantine Donation, which for seven hundred years was almost universally accepted as genuine.² It purported to be a grant of sovereignty over Italy and the countries of the West from Constantine to Sylvester and succeeding Popes in token of the Emperor's gratitude for his recovery from leprosy. The reason assigned in the Donation for this extraordinary self-effacement of the temporal power was, that the spiritual government might not be hampered by the presence of a secular authority. The Donation further conferred on the Popes the right to wear the Imperial purple, to use the

¹ Bryce, *Holy Roman Empire*, p. 99.

² In 1440, Laurentius Valla demonstrated the Donation to be a fraudulent document, and subsequent research has fully confirmed his verdict.

Lateran palace as a place of residence, to bear the sceptre, and enjoy other privileges which hitherto had been the right of the Emperor alone. The attempt to secure such privileges furnished clear evidence that the Papacy aspired to be the counterpart of the Imperial power.

The Popes having thus attained to an equality with the Emperor, proceeded to assert superiority on the ground that the temporal sphere was inferior to the spiritual, and that sovereignty was conferred by the Pope, as God's vicegerent, upon the Emperor. But the papal pretension was reinforced by a power which the Empire did not possess, for both Papacy and the later Empire "rested on opinion rather than material force; and when the struggle, which began in the eleventh century, came, the Empire succumbed, because its rival's hold over the souls of men was firmer, more direct; enforced by penalties more terrible than the death of the body."¹ Notwithstanding the subsequent evils engendered by the extravagant assumption of universal supremacy, the benefits conferred upon Christendom in general by the Church of Rome during the earlier centuries demand

¹ Bryce, *Holy Roman Empire*, p. 418.

approval; here was to be found liberal support for the necessities of distant and less wealthy Churches; here a refuge was forthcoming for many who had become fugitives because they had championed the truth; here were to be found capable and energetic defenders of the standard faith against heretical teaching which was rife in many other Churches, especially in the East. So valuable were the earlier services of the Roman Church to the cause of truth and religion; so great were the opportunities arising from the peculiar position and influence as the Metropolitan See, that it must ever be a cause of poignant regret that the Bishops of Rome, unsatisfied by the exercise of that legitimate authority accorded them by the rest of Christendom, proceeded to convert that moral ascendancy into an actual supremacy.¹

Bishop Lightfoot compares the earlier and later attitude of the Roman See in the fol-

¹ With reference to the union of the temporal and spiritual powers in his person, Dante quaintly compares the Pope to an unclean animal of the Levitical code, "who chews the cud but doth not cleave the hoof." Concerning the result of that union he writes (*Purg.*, Canto xvi. 112-115):

"The sword
Is grafted on the crook; and, so conjoined
Each must perforce decline to worse, unawed
By fear of other."

lowing words : “ The claims of Rome in the earlier ages were modest, indeed, compared with her later assumptions. It is an enormous stride, from the supremacy of Gregory the Great as patriarch of the West and father of the English Church in the sixth century, to the practical despotism claimed by Hildebrand and Innocent III. in the eleventh and succeeding centuries.”

CHAPTER XIII

The Canon Law intended as a rival to the Imperial jurisprudence—Gregory as ‘Justinian of the Church’—Origin of ‘foreign Canon Law’—Imperial decrees adopted as a model by Bishop of Rome—Dionysius Exiguus lays foundation of Canon Law—The *Decretum Gratiana*—Various compilations to form *Corpus Juris Canonici*—Luther’s protest—Causes for decline of spiritual allegiance to Rome—(a) struggle between rival Popes awakened national consciousness; (b) revival of learning incompatible with spirit of Papacy; (c) Latin superseded by vernacular as medium for expressing religious emotions—Empire and Papacy as counterparts—Reason asserted full sway.

OUR subject introduces us to a third factor in the Roman System, the Canon Law, destined to be of signal service to papal policy, and “intended by its authors to reproduce and rival the Imperial Jurisprudence.”¹ The Emperor Justinian had codified the law of Rome as embodied in the *Corpus Juris Civilis*, and Pope Gregory IX. sought in the ecclesiastical sphere to emulate him by compiling the *Corpus Juris Canonici*, whereby he secured the title “Justinian of the Church.” The caution is

¹ Bryce, *Holy Roman Empire*, p. 100.

perhaps needed, that the Canon Law under consideration is now known as "foreign Canon Law,"¹ and is to be distinguished from the English Canon Law. The latter incorporated only such Canons and Constitutions of the former as, in the 35th year of Henry VIII., were decreed to be neither "contrary nor repugnant to the laws, statutes, and customs of this Realm, nor to the damage or hurt of the King's prerogative royal"; and, further, such foreign Canon Law to be valid must have been "in the past accepted in this country."

The Roman Canon Law arose in consequence of differences of opinion on various matters of doctrine and worship. Mutual deliberation became imperative, and the bishops of neighbouring Churches assembled from time to time to take common counsel. Their decisions, termed "Canons," were only of force within the province of their origin. The earliest of which we possess any record were those held to discuss the Easter Question and the Montanist schism, which, according to Eusebius, took place in the reign of Commodus (A.D. 180-192); and councils of bishops became very common in

¹ A convenient term to distinguish that portion of the foreign Canon Law recognised in England is, the 'King's ecclesiastical law,' a term first employed in Elizabeth's reign.

the third century. In the fourth and following centuries, attempts were made to give greater weight and more extended application to such canons, by summoning councils to represent the whole Church. On matters of faith and doctrine the decisions of *Œcumenical* Councils were authoritative and of permanent force; decisions in other matters relating to ecclesiastical policy and administration depended for their validity rather on the acknowledged usefulness of the rule, than the renown of the particular council by which it was decreed. Thus some Canons framed by mere local councils obtained a universal observance, while others issuing from general councils never won universal assent.¹

Till about the beginning of the fifth century the Roman See had been content to offer counsel when approached by provincial Churches; but from this time forward the Imperial Decrees of the Emperor, which were the answers given to legal questions preferred by inferior judges to him in his capacity as magistrate or in final appeal, were taken as a model, and what formerly had been mere advice began to assume the complexion

¹ *e.g.* Canon 15 of the Nicene Council prohibiting the translation of bishops; it never obtained universal recognition.

of a command. No longer was it considered necessary to legislate for the Church by means of councils; but the Bishop of Rome, in virtue of his own authority, promulgated decretals and rescripts which subsequently, together with the Canons of Councils, formed the main body of Roman Canon Law.

The foundation of the Canon Law was laid by Dionysius Exiguus,¹ who about 510 A.D. compiled a collection of the Canons of the various Councils and papal decretals, down to his own time. This collection, revised and enlarged, was presented to Charlemagne, by Pope Hadrian I., in 774 A.D., and contains the law of the Roman Church at that age. Various smaller collections of Canons subsequently appeared, till in 1144 A.D., Gratian, a monk of Bologna, produced the compilation known as—

1. The *Decretum Gratiani*, which constitutes the first portion of the *Corpus Juris Canonici*. This collection was “intended originally as an epitome for the instruction of youth in the schools; it shortly superseded all older compilations of Canon Law; and although swarming with false statements and inaccuracies, exercised the most

¹ An abbot of Rome (*ob. cir.* 556), a voluminous writer, best known as the author of the *Cyclus Paschalis*.

far-reaching influence. In it genuine Canons were mixed with spurious decretals, the Gregorian fictions, numerous extracts from sources of Roman Law, from the writings of the Fathers and of theologians, and, finally, with scholastic deductions of the compiler himself. The keystone and leading idea, which gave unity and cohesion to so many unconnected and often contradictory decisions, was to exalt the Church above all the powers of the earth, and to make the Pope her sovereign.¹

The codified results of Justinian's work (p. 64) was a favourite study of the times, and suggested the idea of a similar compilation for the Church, whereby it should possess "a code no less complete, no less imposing, no less scientific"; for the benefits which flowed from the Imperial jurisprudence, with the Emperor as fountainhead, were impressed on all sides.

It was this ever-present fact which inspired within the "partisans of the Papacy the idea of setting up an opposing system of ecclesiastical polity, in which the Pope should take the place accorded by the Civil Code to the Holy Roman Emperor. By labours of successive compilers, culminating

¹ Geffcken, *Ch. and State*, p. 210, vol. ii.

in the final work of Gratian, the Canon Law was for the first time created into a system distinct from Theology on the one hand and from Civil Law on the other.”¹ It obtained a ready reception throughout the Western Church, and took an analogous place in the ecclesiastical sphere to that which had been formerly assigned to the Justinian legal code in the domain of civil affairs. It became the armoury from which to draw a suitable weapon for fresh attacks on what remained of local independence, and for every emergency when the papal designs were threatened.

The work of Gratian was carried on by others during the two following centuries with the approval of the Popes, and resulted in—

2. *Decretals* of Pope Gregory ix., which were intended to supersede older collections.

3. The *Liber Sextus* or the *Sext*, produced by Pope Boniface viii. This compilation was termed *Liber Sextus* as being complementary to the five books compiled by Gregory ix.

4. The *Clementines* or *Constitutiones Clementinæ*, compiled by Pope Clement v. in 1313 A.D. This was a kind of seventh book, extending the *Decretals* of Gregory ix.

¹ Vide Rashdall, *Universities of Europe in Middle Ages*, vol. i. p. 134 ff.

The above four are generally considered as forming the Canon Law ; but two other parts with less authority subsequently added. They are—

5. The *Extravagantes* of Pope John xxii., and

6. The *Extravagantes Communes*.

The *Corpus Juris Canonici*, accepted generally as authoritative by the Western Church, continued to be recognised until the Reformation, when Luther raised his protest against that fundamental error of the Canon Law which confused matters temporal and spiritual. He drew a clear line of distinction between the two provinces, as appears in the articles of the *Augsburg Confession* concerning "Ecclesiastical Power." There it is stated : "The ecclesiastical and civil powers are not to be confounded. The ecclesiastical power hath its own command to preach the Gospel and administer the Sacraments. Let it not intrude upon another office ; let it not transfer the kingdoms of the world, the laws of magistrates, not withdraw from their lawful obedience, nor hinder the execution of judgments touching any civil ordinances or contracts. Let it not prescribe laws to governors concerning the form of the com-

monwealth, since Christ saith, ‘ My kingdom is not of this world.’ ”

The compilers of the Canon Law sought by its means to make the Church supreme over all other powers; an aim only possible so long as the Latin notion of absolutism continued its hold on the minds of men, which aim could only succeed while the highest purpose of the State was conceived to be the maintenance of the Church’s supremacy, and while historical investigation lay dormant and reason speechless in the presence of authority. But causes had been at work for centuries, resulting in the freeing of a great part of the Western world from the incubus of the Papacy, for “ no revolution has ever been more gradually prepared than that which separated almost one half of Europe from the communion of the Roman See.” ¹

1. The first cause which brought about the downfall of the “ holy Roman Empire ” was the awakening of the national consciousness of the various States. That cause was quickened into active operation by the scandals connected with the struggle between the rival Popes, Gregory XII. and Benedict XIII. Europe, divided

¹ Hallam, *Const. Hist.* i. p. 57.

in its allegiance to the rivals from the year 1378 till 1416, was impotent to effect a reconciliation; while each competitor for the papal supremacy employed every stratagem to secure for himself the support of the different sovereigns, and acknowledgment from the temporal powers as to the validity of his claims. Thirty-eight years of schism had awakened reason, and the minds of men were compelled to reconsider the Roman claim upon the spiritual allegiance of mankind. Hitherto there was at least some show of reason for the Divine authority of the claim. Men were impressed as they reflected on the long line of succession asserting continuity with St. Peter, and herein lay the secret of that Roman pretension which for ages had exercised its influence on the minds of those who accepted the claim without question, in days when historical criticism was unknown. But the pretensions of rival Popes, each asserting his authority as a vicegerent of Christ, contradicted the accepted theory of infallible election, and "a link was now broken in the majestic chain of history."

The nations of Europe ranged themselves on one side or the other, Scotland, France,

Naples, and certain lesser States supporting Clement VII.; while England, Germany, Denmark championed the cause of Urban VI. The papal claims were shaken to their foundations, and the consciousness of nationality began to assert itself within those States which had emancipated themselves in greater or lesser measure from the holy Roman Empire. At first the new-born national sentiment found expression in resisting further papal encroachments; but political forces had been set in motion which did not come to rest till Northern Europe had been broken up into its separate and independent nationalities.

2. Secondly, the revival of learning was stimulated by the migration westwards of Greek scholars driven out by the advance of the Turks to Constantinople; for the East had not suffered to the same extent as the West at the hands of barbarian conquerors, and learning had there continued to exist. The art of printing was discovered, and furnished additional means for extending the field of learning by the dissemination of the new ideas which began to occupy the minds of men; and the New Learning generated a mental atmosphere in which the spirit of the Papacy could not thrive.

3. Lastly, another cause was the supersession of the Latin tongue as a medium for the expression of spiritual conceptions. Since the beginning of the fourth century its use had been universal in the West, both in religion and learning. But as a language it was not the best adapted for the expression of spiritual emotions. Its use tended to repress and confine fervent impulses that touched the deep things of the human heart, and obstruct articulation of awakening religious emotions. While Heine may have been guilty of exaggeration when he said although Christianity had tormented itself for more than a thousand years in the attempt to spiritualise the Latin tongue, its efforts were fruitless, still there is ground for the opinion he expressed, "The language of the Roman people can never belie its origin. It is a language of command for generals; a language of decree for administrators; an attorney language for usurers; a lapidary speech for the stone-hard Roman people." The expression of the spiritual consciousness burst all restraining bonds, and, like a rising flood confined, the resisting walls at length refused to hold back the surging tide, and from the Reformation onwards religious thought and emotion

found expression in the widening stream of the vernacular literatures of newborn nationalities.

Conclusion.—The mental attitude of the times permitted the development of the pretensions of the Papacy, which to the modern mind seems so remarkable: a development only possible where the rights of private judgment were non-existent, and when men worshipped traditional authority with unquestioning fidelity.

But the ambitions of the Papacy prepared the way for her own undoing, and the fall of the Empire, to which by unjustifiable interference in State affairs she had contributed in no small measure, was the precursor of her own defeat. Alone, neither the Empire nor the Papacy in the mediæval sense could exist. They were counterparts the one of the other; and the fall of the Empire heralded the fall of the Papacy. The cohesion of the Empire had come to an end: in its place were formed the various nationalities of the West. For example, in England, Norman and Anglo-Saxons had become oblivious to race distinctions, and were welded into the English nation. The same process later took place in France, where the Frankish, Celtic, and Latin

elements in the population were merged to form the French nation. A similar process was at work elsewhere, and the opposition of the Popes to the assertion of national rights only whetted the desire for independence. This spirit first found expression in the resistance of England to the papal demands, and was followed by France, Northern Italy, and Germany. The great schism and the claim of the rival Popes upon a divided Christendom, by removing the restraints on reason and awakening the spirit of inquiry, created an environment in which the papal theories of supremacy could not flourish. Anti-papal treatises appeared, and writers, as Dante in his *De Monarchia* and Marsilius of Padua in his *Defensor Pacis*, threw the weight of their influence into the rising opposition to the papal assumptions. Some of the opinions of Marsilius, as expressed in the *Defensor Pacis*, were in remarkable contrast to contemporary thought. He opposed the claims of the Pope to all else except the spiritual power, and insisted that he should be subject to the authority of the General Council. He taught that the general body of all Christian people constituted the Church. Marsilius was under no misapprehension as

to the basis for the Pope's claim to authority, tracing it to the accident that his seat was in the city associated with the former rule and glory of the Roman Emperor. The spirit of nationalism, awakening into consciousness after long sleep, induced by the universal dominion of Rome, refused to brook any longer the interference of the Popes with the rights of independent princes and national Churches. It was then that the Pauline doctrine, eclipsed for centuries, at length emerged to throw light on religious problems, which came into prominence when Europe, awakened to freedom of life and thought, engaged in the controversies of the Reformation.

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